



# LATROBE CITY COUNCIL

## MINUTES FOR THE ORDINARY COUNCIL

HELD IN NAMBUR WARIGA MEETING ROOM  
CORPORATE HEADQUARTERS, MORWELL  
AT 6.02 PM ON  
13 APRIL 2015

CM459

**PRESENT:**

<b>Councillors:</b>	Cr Dale Harriman, Mayor	East Ward
	Cr Peter Gibbons, Deputy Mayor	West Ward
	Cr Sharon Gibson	West Ward
	Cr Sandy Kam, Mayor	East Ward
	Cr Graeme Middlemiss	Central Ward
	Cr Kellie O'Callaghan	East Ward
	Cr Michael Rossiter	East Ward
	Cr Christine Sindt	Central Ward (arrived 6.04pm)
	Cr Darrell White	South Ward
<b>Officers:</b>	Gary Van Driel	Chief Executive Officer
	Sara Rhodes-Ward	General Manager Community Liveability
	Phil Stone	General Manager Planning & Economic Sustainability
	Sarah Cumming	Acting General Manager Corporate Services
	Steven Piasente	General Manager Community Infrastructure & Recreation
	Peter Mangan	Acting Executive Manager

Amy Phillips  
Kylie Stockdale  
Jacinta Saxton  
Amanda Harding

Coordinator Executive Office  
Council Operations Administration Officer  
Manager Community Relations  
Coordinator Communications

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1. **OPENING PRAYER**
2. **ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND**
3. **APOLOGIES AND LEAVE OF ABSENCE**
4. **DECLARATION OF CONFLICT OF INTEREST**

Cr Middlemiss declared an indirect interest under Section 78A & 78E of *The Local Government Act 1989* in respect to Item 13.3 - Update on the Environmental Significance Overlay.

5. **ADOPTION OF MINUTES**

**RECOMMENDATION**

**That the minutes of the Ordinary Council Meeting held on 23 March 2015 be confirmed.**

**Moved:** Cr Gibson

**Seconded:** Cr White

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

Cr Sindt arrived at 6.04pm.

**6. PUBLIC QUESTION TIME****Suspension Of Standing Orders**

**Moved:** Cr Rossiter  
**Seconded:** Cr Gibson

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

**CARRIED UNANIMOUSLY**

**Standing Orders were suspended at 6.05pm.**

Ms Joanne Campbell addressed Council and asked a Question on Notice in relation to Item 9.1 – Petition – Delivery of Major Capital Works Projects in Traralgon

**Council's total debt at the end of the 2014/15 financial year is budgeted to be \$19.6 million. The difference between this figure and that of the original long term financial plan is approximately \$7 million. This is the amount that Council borrowed to fund the last unfunded superannuation defined benefits call in 2013. This amount was not included in the original long term financial plan. The 2015/16 draft budget includes an initiative to develop a new 10 year financial plan. Council's plan to deliver the Gippsland Regional Aquatic Centre will need to be considered as part of this new plan. The new 10 year financial plan will need to be developed in the context of the State Governments proposed rate capping of Council's and the Federal Government's decision to not increase the federal assistance grants in the next three years.**

Mr Terry Miller addressed Council in relation to Item 13.2 – Council Authorisation to Prepare a Planning Scheme Amendment for Ashworth Drive, Traralgon.

Mr David Tosch addressed Council in relation to Item 13.6 – Planning Permit Application 2014/267 Use and Development of a Dwelling at Traralgon-Maffra Road, Glengarry (Lot 8 LP5517)

**Moved:** Cr Kam  
**Seconded:** Cr Gibbons

**That Mr Tosch be granted an extension of speaking time.**

**CARRIED UNANIMOUSLY**

**Resumption of Standing Orders**

**Moved:** Cr Gibson  
**Seconded:** Cr Gibbons

**That Standing Orders be resumed.**

**CARRIED UNANIMOUSLY**

**Standing Orders were resumed at 6.23pm**

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**7. ITEMS HELD OVER FOR REPORT AND/OR  
CONSIDERATION/QUESTIONS ON NOTICE**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>	<b>Responsible Officer</b>
19/09/11	Traralgon Activity Centre Plan Key Directions Report	<p>That having considered all submissions received in respect to the Stage 2 Key Directions Report September 2011, Council resolves the following:</p> <ol style="list-style-type: none"> <li>1. To defer the endorsement of the Stage 2 Key Directions Report September 2011 until:               <ol style="list-style-type: none"> <li>a) Council has been presented with the Traralgon Growth Area Review</li> <li>b) Council has received information on the results of the Latrobe Valley Bus Review</li> </ol> </li> <li>2. That Council writes to the State Government asking them what their commitment to Latrobe City in respect to providing an efficient public transport system and that the response be tabled at a Council Meeting.</li> <li>3. That Council proceeds with the Parking Precinct Plan and investigate integrated public parking solutions.</li> <li>4. That the Communication Strategy be amended to take into consideration that the November/December timelines are inappropriate to concerned stakeholders and that the revised Communication Strategy be presented to Council for approval.</li> </ol>	<ol style="list-style-type: none"> <li>1. <u>Status:</u> A review of Traralgon Activity Centre Plan project required to be undertaken by officers following adoption of Traralgon Growth Areas Review. Draft discussion paper currently being prepared.</li> <li>2. <u>Status:</u> Letter sent 10 August 2010. Response received 24 August 2010.</li> <li>3. <u>Status:</u> Letter sent 10 October 2011. No response received.</li> <li>4. <u>Status:</u> Parking Strategy completed September 2013. Council resolved to proceed with car parking overlay Planning Scheme Amendment at Ordinary Council Meeting 9 February 2015.</li> </ol>	General Manager Planning and Economic Sustainability



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Council Meeting Date	Item	Resolution	Status Update	Responsible Officer
19/09/11	Traralgon Activity Centre Plan Key Directions Report (cont'd)	5. That in recognition of community concern regarding car parking in Traralgon the Chief Executive Officer establish a Traralgon Parking Precinct Plan Working Party comprising key stakeholders and to be chaired by the Dunbar Ward Councillor. Activities of the Traralgon Parking Precinct Plan Working Party to be informed by the Communication Strategy for the Traralgon Activity Centre Plan Stage 2 Final Reports (Attachment 3).	5. <u>Status:</u> Adopted by Council 6 February 2012  6. <u>Status:</u> Working Party endorsed by Council, 20 February 2012  7. Briefing will be provided to Council prior to June 2015. This project is proposed to be completed in 2016/17 financial year.	
5/12/11	Investigation into Mechanisms Restricting the sale of Hubert Osborne Park Traralgon	That a draft policy be prepared relating to Hubert Osborne Park and be presented to Council for consideration.	Investigations continuing into a possible mechanism for this purpose.  Meetings held internally. Briefing paper to be prepared.	Office of the Chief Executive
19/12/11	Traralgon Greyhound Racing Club – Proposed Development and Request for Alterations to Lease	That a further report be presented to Council following negotiations with the Latrobe Valley Racing Club, Robert Lont and the Traralgon Greyhound Club seeking Council approval to the new lease arrangements at Glenview Park.	Preparation underway to commence negotiations for a new lease. A further report to be presented to Council.  Discussion has progressed with the leasing of the land to the Traralgon Greyhound Racing Club.  A rental valuation is being obtained from independent valuer.  During March Council officers met with representatives from the Traralgon Greyhound Racing Club and the Latrobe Valley Racing Club to discuss new lease arrangements.  A report will be presented to Council in 2015.	Office of the Chief Executive

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Council Meeting Date	Item	Resolution	Status Update	Responsible Officer
18/02/13	Affordable Housing Project – Our future our place	<ol style="list-style-type: none"> <li>That Council proceeds to publically call for Expressions of Interest as a mechanism to assess the viability and interest in developing an affordable housing project on land known as the Kingsford Reserve in Moe.</li> <li>That a further report be presented to Council for consideration on the outcome of the Expression of Interest process for the development of an affordable housing project on land known as the Kingsford Reserve in Moe.</li> </ol>	This project is currently under review, with a Council report to be presented to Council in 2015.	General Manager Community Liveability
6/05/13	Latrobe City International Relations Advisory Committee - Amended Terms of Reference	That the item be deferred pending further discussion by Councillors relating to the Terms of Reference.	Item on hold pending adoption of a Terms of Reference for Advisory Committees. A further report will be presented to Council once the Terms of Reference is adopted.	General Manager Planning & Economic Sustainability
6/11/13	Latrobe Regional Motorsport Complex	<ol style="list-style-type: none"> <li>That Council requests the members of the Latrobe Regional Motorsports Complex Advisory Committee to investigate potential sites for the motorsports complex and to advise Council of any sites identified so that further investigation can be undertaken by Council officers.</li> <li>That Council officers meet with Energy Australia to discuss other possible sites for a motorsports complex on their land.</li> <li>That a further report be presented to Council at such time that site options have been investigated.</li> </ol>	<p>Initial advice from Energy Australia and HVP is that land is not currently available for this use. Officers continuing to work with both parties to identify potential sites for further investigation.</p> <p>An on-site meeting with Cr Middlemiss occurred in December 2014 to investigate further site options.</p> <p>Further evaluation will be undertaken of sites identified during on-site meeting.</p> <p>Further report to be presented to Council in 2015.</p>	General Manager Community, Infrastructure & Recreation

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Council Meeting Date	Item	Resolution	Status Update	Responsible Officer
13/10/14	Draft Community Engagement Strategy And Action Plan 2015-2019 - Community Consultation	<ol style="list-style-type: none"> <li>1. That Council approves the draft Community Engagement Strategy and Action Plan 2015-2019 be released for community consultation for four weeks from Monday, 20 October 2014 to Friday, 14 November 2014.</li> <li>2. That following the community consultation process a further report on the Community Engagement Strategy and Action Plan 2015-2019 be presented to Council for consideration.</li> </ol>	<p>The draft Strategy is being finalised following the community engagement period.</p> <p>A report will be presented to Council with the final Strategy in May 2015.</p>	Office of the Chief Executive
13/10/14	Churchill and District Community Hub Strategic Plan 2014 – 2018	<p>Council release the draft Churchill and District Community Hub Strategic Plan 2014-2018 and,</p> <ol style="list-style-type: none"> <li>1. Release the Plan for public comment for a period of 6 weeks.</li> <li>2. A further report be presented to Council at the Ordinary Council meeting 15 December 2014 to consider any submissions to the draft Churchill and District Community Hub Strategic Plan 2014 – 2018.</li> </ol>	The Draft Churchill and District Community Hub Strategic Plan was released for public consultation in late January for a period of 6 weeks. A further report is scheduled to be considered at the Ordinary Council Meeting 23 March 2015 detailing the community feedback.	Community Liveability
24/11/14	Review Of Council Meeting Cycle	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Maintain a three-weekly Council Meeting cycle.</li> <li>2. Begin Ordinary Council Meetings at 6:00pm.</li> <li>3. Distribute the final Ordinary Council Meeting Agenda to the public, six (6) days prior, to the Ordinary Council Meeting.</li> <li>4. Review the meeting cycle after an eight-month period and a further report be presented to Council in July 2015 with a review of the changes.</li> </ol>	Report to be prepared to Council in July 2015.	Executive Manager Office of the Chief Executive

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>	<b>Responsible Officer</b>
09/02/15	Family Day Care Feasibility	<p>That Council maintain the Family Day Care program at the current level.</p> <p>That the Family Day Care Coordination team is adjusted as required and directly in relation to any reduction of Educators and/or Service Users.</p> <p>That a further review of the program occur within the first six months of the 2015/16 financial year, with a further report being presented to Council for endorsement at the Ordinary Council Meeting on 07 December 2015.</p> <p>That a report be developed demonstrating cost and funding options to grow other early education and care services as a transition plan from FDC into the future.</p>	Further report to be provided to Council in December 2015.	Community Liveability

# NOTICES OF MOTION

**8. NOTICES OF MOTION**

**8.1 2015/04 POTENTIAL ALTERNATIVE OPTIONS FOR THE  
DEVELOPMENT OF A PAVILION AT LATROBE CITY SYNTHETIC  
SPORTS FIELD**

**Cr Sharon Gibson**

**That a meeting be arranged with all interested Councillors, Council Officers and representatives from Federation University and Latrobe Valley Hockey Association Inc. to discuss the potential alternative options for the development of a pavilion at the Latrobe City Synthetic Sports Field.**

**Attachments  
Nil**

**Moved: Cr Gibson  
Seconded: Cr Middlemiss**

**That the Motion be adopted.**

**CARRIED UNANIMOUSLY**

# ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION

**9. ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION**

**9.1 PETITION - DELIVERY OF MAJOR CAPITAL WORKS PROJECTS IN TRARALGON**

**General Manager**

**Community Infrastructure & Recreation**

**For Decision**

**PURPOSE**

The purpose of this report is to provide Council with information in relation to a petition requesting Council investigate why the Traralgon Swimming Pool, Traralgon Football Grounds & Harold Preston Park recreation areas have not had any major capital works done. Also investigation into the proposed removal of the performing arts from Traralgon to Morwell and why there has been no major works or expansion on the building.

**EXECUTIVE SUMMARY**

This report has been prepared in response to a petition requesting Council investigate why the Traralgon Swimming Pool, Traralgon Football Grounds & Harold Preston Park recreation areas have not had any major capital works done. Also investigation into the proposed removal of the performing arts from Traralgon to Morwell and why there has been no major works or expansion on the building.

Significant community consultation has been undertaken in the development of the Proposed Gippsland Regional Aquatic Centre project, Latrobe Performing Arts and Conference Centre project and for all Latrobe City Recreation Master plans. These master plans are a valuable strategic tool to ensure that developments, improvements and upgrades are developed in full consultation with the community, reserve stakeholders and Council.

This report identifies that Latrobe City Council has spent significant funds and carried out detailed community consultation and planning for each of the facilities named in the petition. Each facility has one or more projects associated, which are all at differing stages of planning or development.

During the past 4 years, approximately \$ 3.5 million has been invested at both the Traralgon Recreation Reserve & Showgrounds and the Harold Preston Reserve.

Due to the State Government proposed changes to legislation, in relation to future rate capping and the current requirement for Councils to include within Strategic Resource Plans all services and initiatives contained in any plan adopted by the Council, a review of the Long Term Financial Plan will be undertaken in the 2015/16 financial year.

This report recommends that Council communicates the findings of this report to the head petitioner and to continue pursuing the identified projects from each master plan.



**RECOMMENDATION**

That Council resolve to;

1. Note the current actions for each facility identified in the petition
2. Write and advise the head petitioner of Councils actions for each facility identified in the petition

**Moved:** Cr Gibson  
**Seconded:** Cr Rossiter

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives – Built Environment*

*In 2026, Latrobe Valley benefits from a well planned built environment that is complementary to its surroundings and which provides for a connected and inclusive community.*

*Latrobe City Council Plan 2013 - 2017*

*Theme and Objectives*

*Theme 2: affordable and sustainable facilities, services and recreation*

*Strategic Direction – To provide facilities and services that are accessible and meet the needs of our diverse community.*

**BACKGROUND**

A petition with 702 signatures was received on 12 February 2015 requesting;

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*Signed Petition to Latrobe City Council into the investigation why the Traralgon Swimming Pool, Traralgon Football Grounds & Harold Preston Park recreation areas have not had any major capital works done. Also investigation into the proposed removal of the performing arts from Traralgon to Morwell and why there has been no major works or expansion on the building.*

A report was presented to the Ordinary Council meeting 23 March 2015, recommending the petition lay on the table as per clause 63 of Council's Local Law No.1, and that a further report be presented to Council at the Ordinary Council meeting on 13 April 2015.

**Gippsland Regional Aquatic Centre (GRAC)**

In September 2009, Latrobe City Council engaged Inside Edge Sport and Leisure, to work with Council to develop a comprehensive study into the feasibility of developing an indoor aquatic and leisure facility in Traralgon.

The report resulting from the Feasibility Study into the provision of an indoor aquatic facility for Traralgon is a comprehensive document which provides options analysis, economic impact assessments, schematic plans and estimated cost schedules associated with the development of such a facility.

As outlined in the feasibility study report, four development scenarios were identified and analysed. All of these scenarios were based on the development of a regional facility (i.e. fifty metre indoor pool).

At its Ordinary Meeting held on Monday, 16 August 2010 Council considered a report which detailed the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study.

At this meeting Council resolved:

1. That Council notes that the attached Traralgon Indoor Aquatic Feasibility Study Report 15 July 2010 has been completed in accordance with the project brief.
2. That Council adopts the Traralgon Indoor Aquatics and Leisure Centre Feasibility Study Final Feasibility Report 15 July 2010, option 2C as the preferred development scenario for the establishment of the Gippsland Regional Indoor Aquatic Facility.
3. That Council seeks the support of the Gippsland Local Government Network, the Gippsland Regional Managers Forum and Regional Development Australia – Gippsland Committee for the development of the Gippsland Regional Indoor Aquatic Facility in Traralgon.
4. That Council authorises the Chief Executive Officer to identify funding options and seek funding for the development of the Gippsland Regional Indoor Aquatic Facility.
5. That until such time that funding is secured for the Gippsland Regional Indoor Aquatic Facility, commencing 2011/12, Council refers \$1 million per annum to the annual capital works program for

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consideration to be reserved for the development of the Gippsland Regional Indoor Aquatic Facility.

6. That Council approves the release of the Traralgon Indoor Aquatics and Leisure Centre Feasibility Study – 15 July 2010 for the information of the community and to undertake further consultation based on development scenario 2C and report these results to Council in a further report.
7. That Council refers potential future use of the current Traralgon outdoor pool site (Corner of Kay and Breed Street) to the Traralgon Activity Centre Plan for further investigation and identification of appropriate usages and zoning.

At a Special Council Meeting held on Monday 11 April 2011, Council heard speakers from the community in response to the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study.

At this meeting Council resolved:

1. That Council hear submissions regarding the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study.
2. That the results of the community and stakeholder consultation on the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study report be included in a further report to Council.

At its Ordinary Meeting held on Monday, 23 May 2011 Council was provided with an analysis of the submissions received from the community in respect to the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study.

At this meeting Council resolved:

That having considered all submissions received in respect to the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study 15 July 2010, Council resolved the following:

1. To not pursue the sale of any land on the Hubert Osborne Park site for the purpose of funding an indoor aquatic facility.
2. To not pursue the development of an indoor aquatic facility at Catterick Crescent.
3. To authorise the Chief Executive Officer to prepare a further report for consideration of Council in respect to the future use of the current Traralgon Outdoor Pool site and Traralgon Croquet Club site which considers the following options:
  - Developing an indoor aquatic and leisure centre on the site currently occupied by the Traralgon Outdoor Pool (outlined in Development Scenario 1 in the Traralgon Indoor Aquatic and Leisure Centre Feasibility Study 15 July 2010);

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- Identifying opportunities for modifications to the current Traralgon Outdoor Pool to facilitate increased patronage/usage, including costs associated with any potential works; and
  - Maintaining the status quo in respect to the current outdoor pool and associated infrastructure on the site.
4. To refer any development options in respect to the provision of improved aquatic infrastructure for Traralgon to Latrobe City Council's ten year financial plan for consideration.
  5. That Council investigate the use of a legal or other instrument over the land at Hubert Osborne Park that would protect it from sale in the future and that a report be presented to open Council on its findings.
  6. That an invitation be extended to the following stakeholders to establish a working party that would be consulted by the CEO in relation to the work undertaken at point 3 which would include:
    - a. Traralgon Swimming Club;
    - b. Traralgon Community Development Association;
    - c. Save Hubert Osborne Park Group; and
    - d. Traralgon Croquet Club.

At its Ordinary Meeting held on Monday, 11 July 2011 Council was provided with the Terms of Reference for the Traralgon Indoor Aquatic Facility Working Party and resolved the following;

1. That Council adopt the Terms of Reference for the Traralgon Aquatic Facility Working Party – June 2011
2. That Latrobe City Council Instrument of Delegation document 2011-2012 Council Delegates and Committees [11 DEL-5] be produced to reflect the above working party.

Applications were received for membership of the Working Party and included the following;

- Councillors (Cr Harriman as the Chair of the group)
- Traralgon Swimming Club;
- Traralgon Community Development Association;
- Save Hubert Osborne Park Group; and
- Traralgon Croquet Club.

The Traralgon Indoor Aquatic Facility Working Party has subsequently met on 7 occasions since June 2011.

At the Working Party meeting on 23 August 2011, the group identified their desired elements to be included in a project brief for a concept plan of an indoor aquatic facility on the current outdoor pool site in accordance with the Council resolution of 15 July 2011.

The group agreed that Council officers would prepare a project brief for concept plans and cost estimates and present back to the group for consideration prior to being presented to Council.

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Etch Architectural Solutions were appointed to work with the working party and Council officers to develop concept plans and cost estimates for the project.

Etch presented the final report, concept plans and cost estimates to the working party on 1 August 2012.

Council officers and several members of the working party presented the final concept design and the operating and capital cost estimates to Council at the Confidential Information and Discussion meeting held on 13 August 2012.

At the Ordinary Council Meeting 3 September 2012, Council resolved the following;

1. That Council endorse Gippsland Regional Aquatic Centre Traralgon concept plans.
2. That Council authorise the Chief Executive Officer to commence seeking funding for the project.
3. That a media release be issued to advise the community of the decision and to present the concept plans.
4. That a letter be written to each Working party member thanking them for their contribution and cooperation on this significant project.
5. That Council endorse the reformation of the Working Party at such time that funding is secured.
6. That upon securing funding for the Gippsland Regional Aquatic Centre Traralgon, a master plan also be developed for the entirety of Hubert Osborne Park.

In October 2012, Council applied for Federal Government Regional Development Australia Funding (RDAF) Round 4. This application was subsequently unsuccessful which in turn prevented Council for applying for State Government Better Pools funding.

**Latrobe City Council Recreation master planning process**

Each year, Latrobe City Council undertakes a range of master planning for recreation reserves and opens spaces within the municipality.

In 2013/14, Council undertook master planning for the following projects:

- Review of the Traralgon Outdoor Recreation Plan
- Traralgon Recreation Reserve & Showgrounds master plan

These master plans are a valuable strategic tool to ensure that developments, improvements and upgrades are developed in full consultation with the community, reserve stakeholders and Council.

**Traralgon Recreation Reserve**

The Traralgon Recreation Reserve & Showgrounds Master Plan was identified for completion as part of the 2013/14 Latrobe City Council business planning process. The objective of the master plan process was to establish clear direction for the future planning, provision, enhancement and improvements of sport and community infrastructure at the Traralgon Recreation Reserve & Showgrounds.

In developing the draft master plan, significant consultation occurred with all stakeholders of the Reserve. Whilst the majority of stakeholders are in support of the draft master plan recommendations, there was a lack of consensus in relation to a number of key recommendations at the reserve and further consultation with stakeholders was required until a final master plan is agreed upon. These issues are:

- The consolidation of the Traralgon & District Agricultural Society buildings.
- The location of the netball courts.
- The Traralgon & District Agricultural Society office/canteen space.
- Demolition of the existing public toilet block.

Once these issues have been fully investigated the master plan will be presented to Council to seek their endorsement of the plan.

**Harold Preston Reserve**

The 2014 Traralgon Outdoor Recreation Plan Review was commissioned by Latrobe City Council in 2013. The Plan has been designed to establish clear direction for the future planning, provision and enhancement of sport and community infrastructure across several of Traralgon's key recreation reserves. As a result of this master plan the following projects are currently being undertaken;

- New lighting City Soccer pitch 2
- Extension to pavilion Olympians Soccer female/umpires change rooms

The plan identifies a range of future works which will need to be considered in future budgets.

**Latrobe Performing Arts and Conference Centre**

A report was presented to Council at the Ordinary Council meeting held 15 December 2014, whereby it was discussed that there is now an opportunity to apply for Federal Government funding towards the Latrobe Performing Arts and Conference Centre. As considerable time had elapsed since the production of the business case, Council should critically review the project feasibility and either review or reaffirm where the LPACC is located and its underlying capital costs and business case before applying for Federal Government funding.

As such, at this meeting, Council resolved the following:

That Council:

1. Critically reviews the feasibility of scenario 1 (Traralgon) and scenario 2 (Morwell) for the Latrobe Performing Arts and Conference Centre project, to ensure optimal 'whole of life' operational costings.
2. Submits an application to the National Stronger Regions fund (NSRF) in the second round; and
3. Implements a community engagement process during and after the Business Case review.

### **KEY POINTS/ISSUES**

#### **Gippsland Regional Aquatic Centre (GRAC)**

Etch Architects are currently preparing the schematic designs for the GRAC project and a car parking and traffic study has been completed which will be considered in the final designs.

#### **Latrobe Performing Arts and Conference Centre**

The consulting firm, Geografia, were selected to undertake the Latrobe Performing Arts and Convention Centre review which has focussed on the following aspects: community sentiment for the project, location, capital costs of the proposed facility and the operational costings of the proposed facility.

Significant community consultation has occurred as part of the review in February and March 2015 and the draft review is currently being finalised by the consultant. It is anticipated that this draft review will be presented to Council in April 2015 where endorsement will be requested to release the draft review for final community comment prior to the review being finalised.

#### **Review of the Traralgon Outdoor Recreation Plan**

The original Traralgon Outdoor Recreation Plan was developed in 2007, and identified a range of recommendations and priorities for active/sporting reserves in Traralgon.

A review of the 2007 Traralgon Outdoor Recreation Plan commenced in August 2013 and following comprehensive engagement activities with the community of Traralgon and stakeholders of each active reserve, a master plan was adopted by Latrobe City Council on 30 June 2014.

This master plan is an aspirational 10 year plan and has been designed to be practical in its implementation, with the aim to implement key priorities and recommendations during the next 10 years.

The document provides a strategic basis for capital works allocations and funding applications to the State and Federal governments.

### Projects delivered recently

The development of master plans in Traralgon, has enabled the funding and delivery of a range of recreation projects. Without these master plans, funding from State and Federal governments would not be possible. The State government requires confirmation that significant planning and engagement with the community has occurred, prior to it providing support and funding for recreation projects.

During the past four years a number of significant projects have been completed or are about to commence at the Traralgon Recreation Reserve & Showgrounds and Harold Preston Reserve. This includes the following:

#### **Traralgon Recreation Reserve**

- Upgrade to the oval surface
- Construction of the TEDAS pavilion

#### **Harold Preston Reserve**

- Match lighting to pitch 2 (Traralgon City)
- Install drainage to pitch 2 (Traralgon City)
- Upgrade to pavilion (Traralgon City)
- Construction of female change pavilion (Olympians)
- Traralgon Tennis Court Resurfacing project

In addition to these projects, the draft 2015/16 Latrobe City Council budget has also included the following projects from Harold Preston Reserve:

- Traralgon Table Tennis Flooring project
- Traralgon Tennis Show Court project

### Cyclical and Reactive Maintenance

Latrobe City Council carries out cyclical maintenance and reactive maintenance of its facilities including plant and equipment. Facilities are audited annually to determine the cyclical maintenance requirements for the year.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There is not considered to be any risks associated with this report.



**FINANCIAL AND RESOURCES IMPLICATIONS**

There are no financial or resource implications in regards to this report.

During the past 4 years, approximately \$ 3.5 million has been invested at both the Traralgon Recreation Reserve & Showgrounds and the Harold Preston Reserve.

**Traralgon Recreation Reserve**

- Upgrade to the oval surface - \$130,000
- Construction of the TEDAS pavilion - \$500,000

**Harold Preston Reserve**

- Match lighting to pitch 2 (Traralgon City) - \$140,000
- Install drainage to pitch 2 (Traralgon City) - \$60,000
- Upgrade to pavilion (Traralgon City) - \$180,000
- Construction of female change pavilion (Olympians) - \$450,000
- Traralgon Tennis Court Resurfacing project - \$714,000

In addition to these projects, the draft 2015/16 Latrobe City Council budget has also included the following projects from Harold Preston Reserve:

- Traralgon Table Tennis Flooring project - \$65,000
- Traralgon Tennis Show Court project - \$1.3 million

**Review of the long Term Financial Plan**

A number of key challengers have resulted in the need for Latrobe City Council to undertake a review of its Long Term Financial Plan (LTFP). The key challengers include the introduction by the State Government of changes to legislation in relation to future rate capping and the current requirement for Councils to include within Strategic Resource Plans all services and initiatives contained in any plan adopted by the Council.

These two requirements will have a significant impact on Councils LTFP and will therefore trigger a review in the 2015/16 financial year which includes the Gippsland Regional Aquatic Centre project.

**INTERNAL/EXTERNAL CONSULTATION***Engagement Method Used:*

Correspondence has been sent to head petitioner acknowledging the recipe of the petition and to advise of the process for Council dealing with the petition.

A meeting was arranged with the head petitioner, Latrobe City Mayor, General Manager Community infrastructure & Recreation and the Manager Recreational Liveability for the 9 April 2015, however the head petitioner has advised that they no longer wish to attend the meeting.

*Details of Community Consultation / Results of Engagement:*

Significant community consultation is undertaken in the development of all Latrobe City Master plans. These master plans are a valuable strategic tool to ensure that developments, improvements and upgrades are developed in full consultation with the community, reserve stakeholders and Council.

**OPTIONS**

Council have the following options;

1. Note the current actions in the report for each facility and write to the head petitioner to inform of Councils actions for each facility
2. To seek further information in regards to the report
3. To take no further action

**CONCLUSION**

This report clearly articulates that Latrobe City Council have spent significant funds and carried out detailed community consultation and planning for each of the facilities named in the petition. Each facility has one or more projects associated, which are all at differing stages.

During the past 4 years, approximately \$ 3.5 million has been invested at both the Traralgon Recreation Reserve & Showgrounds and the Harold Preston Reserve. This does not include significant funds in the design and consultation for the Proposed Gippsland Regional Aquatic Centre and the Latrobe Performing Arts and Conference Centre.

Significant community consultation has been undertaken in the development of the Proposed Gippsland Regional Aquatic Centre, Latrobe Performing Arts and Conference Centre and for all Latrobe City Recreation Master plans. These master plans are a valuable strategic tool to ensure that developments, improvements and upgrades are developed in full consultation with the community, reserve stakeholders and Council.

Due to State Government changes to legislation in relation to future rate capping and the current requirement for Councils to include within Strategic Resource Plans all services and initiatives contained in any plan adopted by the Council, a review of the Long Term Financial Plan will be undertaken in the 2015/16 financial year which will inform Council of key priorities for the next ten years.

**SUPPORTING DOCUMENTS****Attachments**

1. Petition (Published Separately) (Confidential)

**9.2 MOE RACING CLUB - REQUEST FOR A HALF DAY PUBLIC HOLIDAY 2015 MOE CUP****Executive Manager****Office of the Chief Executive****For Decision****PURPOSE**

To further consider a petition received from the Moe Racing Club requesting that Council apply for a half day public holiday for the Moe Cup to be held on Thursday 15 October 2015.

**EXECUTIVE SUMMARY**

A petition containing 333 signatures was received from the Moe Racing Club on 6 February 2015 requesting that Council declare a half-day public holiday for the Win TV Moe Cup to be held on Thursday, 15 October 2015 for the 3825 postcode area within Latrobe City.

The *Public Holidays Act* 1993 allows a non-metropolitan council to request a substitute public holiday in lieu of the Melbourne Cup public holiday. This public holiday can be either a full-day or two half-day public holidays and be applied in one or more parts of the municipality.

Councils adopted Public Holiday Policy 11 POL-4 states that Council will consult with the community, employee and employer groups in accordance with Section 223 of the *Local Government Act* 1989 prior to making application to the relevant Minister seeking to have an alternate half-day public holiday declared for part of the municipality.

**RECOMMENDATION****THAT COUNCIL:**

- 1. Seek public comment on the proposal received from the Moe Racing Club for the introduction of a half-day public holiday for the Moe Cup on Thursday, 15 October 2015 for the 3825 postcode area within Latrobe City.**
- 2. Invites submissions regarding its intention to consider the introduction of a half-day public holiday for the Moe Cup on Thursday, 15 October 2015 for the 3825 postcode area within Latrobe City and invite submissions pursuant to Section 223 of the *Local Government Act* 1989.**
- 3. Considers any submissions received regarding its intention to consider the introduction of a half-day public holiday for the Moe Cup on Thursday, 15 October 2015 for the 3825 postcode area within Latrobe City at its meeting to be held on Monday 15 June 2015.**
- 4. That the Moe Racing Club be advised accordingly.**

**Moved:** Cr Gibson  
**Seconded:** Cr Gibbons

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives - Governance*

*In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.*

*Latrobe City Council Plan 2013 - 2017*

*Theme and Objectives*

*Theme 3: Efficient, effective and accountable governance*

*Strategic Direction – Planning & Governance*

- *Support effective community engagement to increase community participation in decision making, and*
- *Ensure that Council decision-making considers adopted policies*

*Legislation – 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.

*Policy – Public Holiday Policy 11 POL-4*

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.

This policy is subject the provisions of the *Public Holidays Act 1993* (as amended), whereby only the relevant Minister has the power to declare an additional or substituted public holiday.

**BACKGROUND**

A petition containing 333 signatures was received from the Moe Racing Club on 6 February 2015 requesting that Council declare a half day public holiday for the Win TV Moe Cup to be held on Thursday 15 October 2015 for the 3825 postcode area within Latrobe City. (Attachments One & Two)

Council has previously, from 1998 through to 2008, declared a number of additional full-day and half-day public holidays for the respective Moe and Traralgon Cup Day race meetings, details of which are 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 east of Morwell River.

Between 2008 and 2013 Council did not submit an application to the Minister for Innovation, Services and Small Business to substitute a respective Melbourne Cup Public Holiday for another nominated full-day or two half-day public holidays. The reasons for this include:

- legislative changes to the *Public Holiday Act* 1993,
- extensive community consultation in 2009 that revealed apparent community support to retain Melbourne Cup as the preferred public holiday across the municipality,
- Electoral Caretaker Provisions Policy in the lead up to 2011 Council Election, and
- Cancellation of the Moe Cup in 2013.

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

Council last undertook consultation with the community, employee and employer groups in July 2009. This consultation was related to a request 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.”*

In response to this community engagement, Council received 33 written submissions. In summary:

- 26 submissions clearly supported observing the Melbourne Cup Day Public Holiday,
- Three submissions did not indicate a preference but detailed specific workplace arrangements for Melbourne Cup to be observed on the day or the day off to be deferred to the end of the year.
- One submission detailed that, regardless of the declared holiday, Melbourne Cup Day would be observed as the submitter has little interest in Moe Cup.
- Two submissions detailed support for Moe Cup Day as a substitute holiday for Melbourne Cup.
- One submission indicated support for continuing the half-day public holiday for Moe Cup Day tradition, but failing the ability to do this the preference was for Melbourne Cup Day to be observed.

Having considered these submissions Council, at the Ordinary Council Meeting held on the 20 July 2009, subsequently resolved:

*“That Council accepts Melbourne Cup Day, 3 November 2009, to be the declared public holiday throughout the whole municipality in 2009 and does not apply to the Minister for Small Business for Moe Cup Day 15 October 2009 to be a substitute Melbourne Cup public holiday.”*

On 21 May 2014 Council received a similar request from the Moe Racing Club, supported by both the Committee for Moe and Moe Traders Association, for a half-day public holiday for the Moe Cup on Thursday, 16 October 2014.

Council considered this request at its meeting held on 30 June 2014 and resolved the following:

1. *That Council does not support the request to have Moe Cup made a half day Public Holiday.*
2. *That Council write to the Moe Racing Club, Committee for Moe and Moe Traders to thank them for their request and notify them of Councils decision.*

Council previously considered the current petition at its meeting held on Monday, 23 March 2015 and resolved the following:

1. *Council resolves that the Petition received from the Moe Racing Club requesting a half day public holiday for the 2015 Moe Cup for Post Code 3825 lay on the table.*

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

2. *That a report in relation to this petition be presented to the Ordinary Council Meeting to be held on 13 April 2015.*
3. *That the Moe Racing Club be advised of this decision.*

### **KEY POINTS/ISSUES**

Clause 8A of The *Public Holidays Act* 1993 allows a municipality to make application to the Minister for Innovation, Services and Small Business to substitute a forthcoming Melbourne Cup Day for a nominated day, or two half-days, in lieu of a Melbourne Cup Day public holiday:

- (1) A non-metropolitan Council may request in writing that the Minister make a declaration under section 8(1)-
  - (a) That the day appointed under section 6 being the first Tuesday in November (Melbourne Cup Day) is not in a specified year such a public holiday in the whole or part of the municipal district of that Council; and
  - (b) That another day or 2 half-days (one half-day of which may be Melbourne Cup Day) be appointed as a public holiday or 2 public half-holidays in that year.

The request to the Minister is required to provide a reason for substituting the public holiday and must specify whether the substitute public holiday is to apply to the whole or part/s of the municipal district.

As mentioned above in Strategic Objectives – Policy, Council has a current *Public Holiday Policy (11 POL-4)*. This policy was adopted in February 2011, prior to legislation changes being made. As a result there is a significant difference between the requirements of the *Public Holidays Act* 1993 and the current Council Public Holiday Policy (11 POL-4). This difference is:

<b>Public Holidays Act</b>	<b>Public Holiday Policy</b>
A Melbourne Cup Public Holiday can be substitute for a nominated one full-day or two half day public holidays in one or more parts of a municipality	A substitute Melbourne Cup Public Holiday must be for a full-day public holiday and apply across the whole of the municipality'

The adopted Council Policy states all applications for an additional or alternative public holiday must be received at least 180 days before the proposed public holiday. This is to allow for Council's consideration and then, if required, make an application to the relevant Minister for consideration.

Clause 8A(2) of the Public Holidays Act requires that any application for an alternate public holiday from a non-metropolitan Council must be made, in writing, "*at least 90 days before the Melbourne Cup Day to which the request relates*". In this case the deadline for making an application would be 3 August 2015.

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

As the current application from the Moe Racing Club was received on 6 February 2015 there is sufficient time for Council to undertake community consultation regarding the proposed half-day public holiday prior to making an application to the Minister for Small Business, Innovation and Trade if necessary.

Should Council agree to declare a half-day public holiday for the Moe Cup for the 3825 postcode area within Latrobe City the balance of this would remain a half-day public holiday for the Melbourne Cup on 3 November 2015 within this area.

It is noted that there are currently eight non-metropolitan public holidays scheduled for regional Victoria during 2015:

<b>Date</b>	<b>Municipality</b>	<b>Purpose</b>
Thursday, 7 <sup>th</sup> May	Moyne Shire & Warrnambool City	Full day holiday for the whole municipal district to celebrate Warrnambool Cup Day.
Wednesday, 5 <sup>th</sup> August	Buloke Shire	Full day holiday in the district of Sea Lake, including the township of Nandaly, to celebrate the Speed Field Day.
Tuesday, 6 <sup>th</sup> October	Gannawarra Shire	Full day holiday in the township of Kerang to celebrate Kerang Show Day.
Wednesday, 21 <sup>st</sup> October	City of Greater Geelong	Full day holiday for the whole municipal district to celebrate Geelong Cup Day.
Wednesday, 21 <sup>st</sup> October	Buloke Shire	Full day holiday in the district of Wycheproof, including the township of Nullawil, to celebrate the Wycheproof Agricultural and Pastoral Society Show.
Wednesday, 28 <sup>th</sup> October	City of Greater Bendigo	Full day holiday in all areas west of the Campaspe River to celebrate Bendigo Cup Day.
Friday, 6 <sup>th</sup> November	Colac Otway Shire	Full day holiday for the whole municipal district to celebrate Colac Show Day.
Friday, 27 <sup>th</sup> November	City of Wodonga	Full day holiday for the whole municipal district to celebrate Wodonga Gold Cup Day.



## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

As stated previously, the Moe Racing Club has requested that the proposed half-day public holiday be for the 3825 postcode in Latrobe City. This would include Moe, Moe South, Newborough, Tanjil South, Yallourn and Yallourn North.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

If Council agreed to the Moe Racing Club's request, there are potential financial and resource risks for the broader community, in particular employers that operate businesses within the specified area.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

With the exception of staff salaries, the direct costs to Council associated with declaring a half-day public holiday are minimal and would include the cost of a notice in the Victorian Government Gazette and public notices in the local papers to advise the community and employers.

### **INTERNAL/EXTERNAL CONSULTATION**

As stated previously, Council last undertook consultation with the community, employee and employer groups in July 2009 in relation to a request 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.

Whilst the current request received from the Moe Racing Club is supported by a petition containing 333 signatures in favour of the introduction of a half-day public holiday for the Moe Cup it would be prudent for Council to undertake fresh community consultation within the subject area to gain an understanding of the support for such a public holiday.

At the time of writing this report Council has already received correspondence from The Committee for Moe (Attachment Three) together with seven e-mails from business owners supporting the proposed half-day public holiday.

One additional e-mail has been received from a business owner objecting to the proposed public holiday.

### **OPTIONS**

Council has the following options:

1. support the request from the Moe Racing Club, determine that it is not necessary to undertake relevant community consultation and make an application to the Minister for Innovation, Services and Small Business in regards to this matter, or

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

2. support the request and undertake relevant community consultation prior to making an application to the Minister for Innovation, Services and Small Business in regards to this matter, or
3. Not support the request to have Moe Cup made a half day public holiday and advise the Moe Racing Club accordingly.

**CONCLUSION**

A petition was received from the Moe Racing Club on 6 February 2015 requesting that Council declare a half day public holiday for the Win TV Moe Cup to be held on Thursday 15 October 2015 for the 3825 postcode area within Latrobe City.

The *Public Holidays Act* 1993 allows a non-metropolitan council to request a substitute public holiday in lieu of the Melbourne Cup public holiday. This public holiday can be either a full-day or two half-day public holidays and be applied in one or more parts of the municipality.

Councils adopted Public Holiday Policy 11 POL-4 states that Council will consult with the community, employee and employer groups in accordance with Section 223 of the *Local Government Act* 1989 prior to making application to the relevant Minister seeking to have an alternate half-day public holiday declared for part of the municipality.

Whilst the current request received from the Moe Racing Club is supported by a petition containing 333 signatures in favour of the introduction of a half-day public holiday for the Moe Cup it would be prudent for Council to undertake fresh community consultation within the subject area to gain an understanding of the public support for such a public holiday.

**SUPPORTING DOCUMENTS**

Nil

**Attachments**

1. Attachment One: Correspondence from Moe Racing Club requesting public holiday for Moe Cup.
2. Attachment Two: Petition supporting application from Moe Racing Club for a half-day public holiday for Moe Cup. (Published Separately) (Confidential)
3. Attachment Three: Correspondence received from the Committee for Moe supporting a half-day public holiday for the Moe Cup.

## **9.2**

### **MOE RACING CLUB - REQUEST FOR A HALF DAY PUBLIC HOLIDAY 2015 MOE CUP**

- 1 Attachment One: Correspondence from Moe Racing Club requesting public holiday for Moe Cup..... 35**
- 3 Attachment Three: Correspondence received from the Committee for Moe supporting a half-day public holiday for the Moe Cup. .... 37**



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

7<sup>th</sup> January 2015

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

Dear Henry

**RE:- WIN TV Moe Cup Day – Thursday 15<sup>th</sup> October 2015**

On behalf of the Moe Racing Club, I would like to apply for a half day public holiday for the Moe Cup in 2015. As you would be aware the laws have now changed, enabling the council to declare a half day holiday for the 3825 precinct.

The Moe Cup has long been an iconic and important local event and with the Moe Traders running the three hour sale in the morning it becomes a valuable and important date for the local community.

I have attached for your reference signatures of people supporting the holiday and would be pleased to provide any further information required.

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

Yours truly,

A handwritten signature in dark ink, appearing to be "David Mckinnon". The signature is stylized and somewhat cursive.

David Mckinnon  
Chief Executive Officer



The Committee For Moe  
P.O. Box 115  
Moe 3825

26<sup>th</sup> March 2015

CEO - Gary Van Driel  
Latrobe City Council  
P.O. Box 264  
Morwell 3840

**RE: MOE CUP – HALF DAY PUBLIC HOLIDAY**

Dear Gary,

The Committee for Moe would like to voice their concern and fully support the Moe Traders and the Moe Racing Club in regard to the decision and recommendation to seek a half day public holiday for the Moe Cup on Thursday 15<sup>th</sup> October 2015.

We feel the community fully supported this half day holiday in the past, which was an iconic event within the town, giving the Moe Traders with their half day sale a prosperous and rewarding outcome. It is a yearly event within the community that is talked about and looked forward by all involved. The Moe Cup is a huge draw card from not only the local community but far and wide.

We strongly encourage your decision and support in the reinstatement of a half day public holiday for Thursday 16<sup>th</sup> October 2015.

Kind regards  
Sue Abbott

Secretary  
Committee For Moe

# CORRESPONDENCE

**10. CORRESPONDENCE**

Nil reports

# PRESENTATION OF PETITIONS



**11. PRESENTATION OF PETITIONS**

Nil reports

# OFFICE OF THE CHIEF EXECUTIVE

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

**12. OFFICE OF THE CHIEF EXECUTIVE**

**12.1 ASSEMBLY OF COUNCILLORS**

**Executive Manager**

**Office of the Chief Executive**

**For Decision**

**PURPOSE**

The purpose of this report is to present to Council, the Assembly of Councillors forms submitted since the Ordinary Council Meeting held 23 March 2015.

**DECLARATION OF INTEREST**

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

**OFFICER COMMENTS**

The following Assembly of Councillors took place:

<b>Date:</b>	<b>Assembly Details / Matters Discussed:</b>	<b>In Attendance:</b>	<b>Conflicts of Interest Declared:</b>
06 March 15	Project Reference Group	<b>Councillors:</b> Cr Middlemiss, Cr Kam, Cr White, Cr Gibson, Cr Rossiter (phone link)  <b>Officers:</b> Gail Gatt, Gary Van Driel, Phil Stone, Leanne Khan, Alissa Filippo	Nil
11 March 15	Out of Session Councillor Briefing	<b>Councillors:</b> Cr Sindt, Cr Harriman, Cr Kam, Cr White, Cr Gibson (phone link)  <b>Officers:</b> Gail Gatt, Phil Stone, Leanne Khan	Nil
13 March 15	Timber Umbrella Group	<b>Councillors:</b> Cr Harriman, Cr Kam  <b>Officers:</b> Gary Van Driel, Geoff Hill, Bruce Connolly, Sophie Morell, Emma Bertoli	Nil

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

16 March 15	Councillor Briefings & Public Presentations	<p><b>Councillors:</b> Cr Sindt, Cr Middlemiss, Cr Gibbons, Cr Harriman, Cr O'Callaghan, Cr Kam, Cr White, Cr Rossiter</p> <p><b>Officers:</b> Gary Van Driel, Phil Stone, Steve Piasente, Sarah Cumming, Sara Rhodes-Ward, Gail Gatt, Leanne Khan, Amy Phillips, Alistair Edgar, Pieta Bucello</p>	<p>Cr Harriman declared a Conflict of Interest in relation to Item 13.2 Mid year Budget Review re Moe Revitalisation Projects</p> <p>Sara Rhodes-Ward declared a Conflict of Interest in relation to Item 10.1 Update on Environmental Significance Overlay</p> <p>Sarah Cumming declared a Conflict of Interest in relation to Item 10.1 Update on Environmental Significance Overlay</p>
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### Attachments

1. Project Reference Group 060315
2. Out of Session Councillor Briefing 110315
3. Timber Umbrella Group
4. Councillor Briefing (2) 160315

### RECOMMENDATION

**That Council note this report.**

**Moved:** Cr Rossiter  
**Seconded:** Cr Gibson

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

# **12.1**

## **Assembly of Councillors**

<b>1</b>	<b>Project Reference Group 060315.....</b>	<b>47</b>
<b>2</b>	<b>Out of Session Councillor Briefing 110315 .....</b>	<b>49</b>
<b>3</b>	<b>Timber Umbrella Group.....</b>	<b>51</b>
<b>4</b>	<b>Councillor Briefing (2) 160315 .....</b>	<b>55</b>



## Assembly of Councillors Record

This form **MUST** be completed by the attending Council officer and returned **IMMEDIATELY** to the Council Operations Team for filing. {see over for Explanation/Guide Notes}.

<b>Assembly details:</b>	Project Reference Group
<b>Date:</b>	06 March 2015
<b>Time:</b>	3.00pm
<b>Assembly Location:</b>	NAMBUR WARIGA ROOM LATROBE CITY COUNCIL CORPORATE HEADQUARTERS COMMERCIAL ROAD, MORWELL

### IN ATTENDANCE

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter (via phone link)	<input checked="" type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Gail Gatt, Gary Van Driel, Phil Stone, Leanne Khan, Alissa Filippo		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	Latrobe Planning Scheme Review Local Policy rewrite		
<b>Confidential/ Not confidential</b>	Are the matters considered confidential under the Local Government Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>			
<b>Times that Officers / Councillors left/returned to the room:</b>			



Completed by: Leanne Khan

**Assembly of Councillors Record Explanation / Guide Notes**  
Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

Amendments to the Local Government Act 1989 (Section 80A), operative from 2 December 2008 now stipulate:

"At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:

- the names of all Councillors and members of Council staff attending;
- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
- whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."

The above required information is:

- to be reported to an Ordinary meeting of the Council; and
- incorporated in the minutes of that Ordinary meeting.

**2. Section 76AA definition:**

"**Assembly of Councillors** (however titled, e.g. meeting / inspection / consultation etc) is a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of staff which considers matters that are intended or likely to be;

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:

- Councillor Briefings;
- on site inspections, generally meetings re: any matters;
- meetings with residents, developers, other clients of Council, consultations;
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*Effectively it is probable, that any meeting of at least 5 Councillors and 1 Council staff member will come under the new requirements as the assembly will in most cases be considering a matter which will come before Council or be the subject of a delegated officer's decision at some later time. If you require further clarification, please call the Manager Council Operations – Legal Counsel.*

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- the Council; or
- a special committee; or
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**3. Section 80A and 80B requirements (re: Conflict of Interest):**

Councillors and officers attending an Assembly of Councillors must disclose any conflict of interest.

**Section 80A(3)**

"If a Councillor attending an Assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

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**Section 80B**

A member of Council staff who has a conflict of interest (direct or indirect) in a matter in which they have a delegated power, duty or function must:

- not exercise the power or discharge the duty or function;
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<b>Assembly details:</b>	Out of Session Councillor Briefing
<b>Date:</b>	11 March 2015
<b>Time:</b>	3.00pm
<b>Assembly Location:</b>	Large Meeting Room Latrobe City Regional Gallery

### IN ATTENDANCE

<b>Councillors:</b>	<input checked="" type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input checked="" type="checkbox"/> Cr Sharon Gibson (via phone link)
<b>Officer/s:</b>	Gail Gatt Phil Stone Leanne Khan		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	Latrobe Planning Scheme Review Local Policy rewrite		
<b>Confidential/ Not confidential</b>	Are the matters considered confidential under the Local Government Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>			
<b>Times that Officers / Councillors left/returned to the room:</b>			





Completed by: Leanne Khan

**Assembly of Councillors Record Explanation / Guide Notes**  
Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

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**Brief Explanation:**

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**Section 80A(3)**

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## Assembly of Councillors Record

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<b>Assembly details:</b>	Timber Umbrella Group
<b>Date:</b>	Friday 13 March 2015
<b>Time:</b>	11.30 am – 2 pm
<b>Assembly Location:</b>	Nambur Wariga Meeting Room, Latrobe City Council Headquarters, Morwell

### IN ATTENDANCE

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Gary Van Driel – Chief Executive Officer Geoff Hill – Manager Economic Development Bruce Connolly – Manager Regional Strategy Sophie Morell – Coordinator Business Development Emma Bertoli – Executive Assistant Planning & Economic Sustainability  <b>External Attendees</b> Laurie Martin – AusTimber Stacey Gardiner – AusTimber Dr Alistair Woodard – Wood Products Victoria Harry Ballis – Federation University Mal Valance – Federation University (via conference call)		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<ul style="list-style-type: none"> <li>• Meeting frequency and schedule discussion</li> <li>• Delegation trip to Canberra update</li> <li>• AusTimber 2016 Update</li> <li>• Update of WEP Implementation</li> <li>• Other Business</li> </ul>		
<b>Confidential/ Not confidential</b>	<i>Are the matters considered confidential under the Local Government Act?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson



Officer/s:	N/A
Times that Officers / Councillors left/returned to the room:	N/A

Completed by: *Sophie Morell, Coordinator Business Development, 18/03/2015*

**Assembly of Councillors Record Explanation / Guide Notes**

Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

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**3. Section 80A and 80B requirements (re: Conflict of Interest):**

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**Section 80A(3)**

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Councillor would have to disclose a conflict of interest under section 79, the Councillor must disclose either:

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## Assembly of Councillors Record

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<b>Assembly details:</b>	Councillor Briefings & Public Presentations
<b>Date:</b>	16 March 2015
<b>Time:</b>	5.05pm
<b>Assembly Location:</b>	NAMBUR WARIGA ROOM LATROBE CITY COUNCIL CORPORATE HEADQUARTERS COMMERCIAL ROAD, MORWELL

### IN ATTENDANCE

<b>Councillors:</b>	<input checked="" type="checkbox"/> Cr Christine Sindt	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input checked="" type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman	<input checked="" type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Gary Van Driel, Phil Stone, Steve Piasente, Sarah Cumming, Sara Rhodes-Ward, Gail Gatt, Leanne Khan, Amy Phillips, Alistair Edgar, Pieta Bucello		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	As per Agenda Clarification on matters contained within Council Meeting Agenda 23 March 2015 Budget Presentations to Community		
<b>Confidential/ Not confidential</b>	Are the matters considered confidential under the Local Government Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### CONFLICT OF INTEREST DISCLOSURES: (refer to page 2)

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input checked="" type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
	Cr Middlemiss was unable to determine whether a Conflict of interest was possible in relation to Item 10.1 Update on the Environmental Significance Overlay and left the meeting at 7.19pm		
<b>Officer/s:</b>	Sara Rhodes-Ward declared a Conflict of Interest under Section 78E in relation to Item 10.1 Update on the Environmental Significance Overlay and left the meeting at 7.19pm  Sarah Cumming declared a Conflict of Interest under Section 78B in relation to Item 10.1 Update on the Environmental Significance Overlay and left the meeting at 7.19pm		



<p><b>Times that Officers / Councillors left/returned to the room:</b></p>	<p> <b>Leanne Khan and Gail Gatt arrived at 5.05pm</b>  <b>Cr Harriman arrived at 5.13pm</b>  <b>Cr O'Callaghan left the room at 5.35pm and returned at 5.46pm</b>  <b>Cr Gibbons left the room at 6.00pm and returned at 6.02pm</b>  <b>Leanne Khan and Gail Gatt left the room at 6.08pm</b>  <b>Sara Rhodes-Ward arrived at 6.10pm</b>  <b>Cr Middlemiss arrived at 6.10pm</b>  <b>Alistair Edgar and Pieta Bucello arrived at 6.10pm</b>  <b>Cr Gibbons left the room at 6.11pm and returned at 6.17pm</b>  <b>Cr Sindt arrived at 6.13pm</b>  <b>Alistair Edgar and Pieta Bucello left the room at 6.32pm</b>  <b>Sarah Cumming left the room at 7.15pm and returned at 7.36pm</b>  <b>Cr Middlemiss left the room at 7.19pm and returned at 7.36pm</b>  <b>Sara Rhodes-Ward left the room at 7.19pm and returned at 7.36pm</b>  <b>Cr O'Callaghan left the room at 7.29pm and returned at 7.33pm</b>  <b>Sara Rhodes-Ward left the room at 7.45pm and returned at 7.46pm</b>  <b>Cr Harriman left the room at 8.56pm and returned at 8.57pm</b>  <b>Cr Kam left the room at 8.56pm and returned at 8.57pm</b> </p>
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Completed by: Amy Phillips

**Assembly of Councillors Record Explanation / Guide Notes**  
Required pursuant to the Local Government Act 1989 as amended.

**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

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**12.2 WOOD ENCOURAGEMENT POLICY****Executive Manager****Office of the Chief Executive****For Decision****PURPOSE**

The purpose of this report is to get endorsement from Council to submit motions seeking support for the Wood Encouragement Policy. If supported, the motions will be forwarded to the Municipal Association of Victoria (MAV) and the Australian Local Government Association (ALGA) for presentation at their forthcoming conferences.

**EXECUTIVE SUMMARY**

Council has been through a rigorous process to adopt the Wood Encouragement Policy. The draft policy sought and received feedback from industry, community and government. The final Policy was adopted at a Council Meeting on 15<sup>th</sup> December 2014.

Since the adoption of the Policy, Latrobe City Council has promoted the Policy in a number of forums, most recently in meetings with Ministers, Shadow Ministers and Elected Officials in Canberra.

The feedback from industry, government agencies and other Local Government municipalities has been very positive, with a number of other Councils seeking advice from Latrobe City Council.

Council now seeks to promote the Policy to a wider Local Government audience. The appropriate representative organisations are the MAV and the ALGA. Motions have been developed for the forthcoming MAV State Council and the ALGA National Assembly.

Council needs to decide whether to support the motions and the submission of the motions to the MAV and the ALGA.

**RECOMMENDATION****That Council submits motions on the Wood Encouragement Policy:**

- 1. To the MAV for consideration and endorsement as a policy of the MAV at the forthcoming MAV State Council meeting, and**
- 2. To the ALGA for consideration and endorsement as a policy of the ALGA at the forthcoming National Assembly**

**Moved:** Cr Kam**Seconded:** Cr Rossiter**That the Recommendation be adopted.**



**For the Motion**

Councillors Rossiter, White, Sindt, O'Callaghan, Middlemiss, Kam and Harriman

**Against the Motion**

Councillor Gibson

**The Mayor confirmed the Motion was CARRIED.**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

**Latrobe 2026: The Community Vision for Latrobe Valley**

*Strategic Objectives – Actively pursue further diversification of business and industry in the municipality*

*Actively pursue and support long term job security and the creation of new employment opportunities in Latrobe City*

**Latrobe City Council Plan 2013 - 2017****Theme and Objectives**

*Theme 1: Job creation and economic sustainability*

*Strategic Direction – Work in partnership with business, industry and government to create new jobs and investment in Latrobe City.*

**BACKGROUND**

On the 15<sup>th</sup> December 2014 Council adopted the Wood Encouragement Policy. The Policy Goals are:

- To stimulate sustainable economic development within the Gippsland timber and wood products industry and encourage value adding products within the timber industry.
- To encourage the use of wood in the construction and fit out of Council buildings and infrastructure.
- To recognise all of the benefits that make wood a smart choice for Council buildings and infrastructure.

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

- To share information and encourage education regarding the benefits of using wood in construction and fit out of buildings and infrastructure.
- To demonstrate local and national leadership by enacting the Wood Encouragement Policy on Council buildings and infrastructure.
- To encourage the use of wood in demonstration projects across the municipality.
- To align with opportunities for state and federal funding.
- To reinforce Council's preference for quality wood buildings in the development of briefs for projects.
- To promote the industry as a renewable resource, capturing the environmental benefits of the resource.

Since the adoption of the Policy, Latrobe City Council has promoted the Policy in a number of forums, most recently in meetings with Ministers, Shadow Ministers and Elected Officials in Canberra.

The feedback from industry, government agencies and other Local Government municipalities has been very positive, with a number of other Councils seeking advice from Latrobe City Council.

To promote the Wood Encouragement Policy to Local Government throughout Victoria and Australia motions have been developed for consideration at the forthcoming MAV State Council and ALGA National Assembly.

### **KEY POINTS/ISSUES**

- Council adopted the Wood Encouragement Policy in December 2014;
- Council is receiving significant recognition for the policy from industry and government;
- By promoting the policy through Local Government's representative organisations, namely the MAV and the ALGA, other Councils throughout Victoria and Australia will be able to consider the adoption of a similar policy

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

"There is not considered to be any risks associated with this report"

### **FINANCIAL AND RESOURCES IMPLICATIONS**

There are no likely financial implications of this report

**INTERNAL/EXTERNAL CONSULTATION**

As part of the process to develop the Wood Encouragement Policy the appointed Task Group established a Steering Committee comprising the following representatives:

- Mr Laurie Martin, AUS Timber 2016
- Mr John Bahoric, Bonnaci Group
- Mr Ross Hampton, Australian Forest Products Association
- Mr Chris Philpot, Planet Ark
- Mr Craig Douglas, RMIT
- Mr Alistair Woodard, Wood Products Victoria
- Mr Tim Woods, Industry Edge
- Mr Andrew Nieland, Lend Lease

Representatives of the Steering Committee also held a workshop with Council departments to discuss the practical implications of the Policy.

*Details of Community Consultation / Results of Engagement:*

Following the release of the draft policy, the following activities were undertaken:

- A media release was prepared and distributed
- A direct mailout to over 140 key stakeholders identified by the Steering Committee was completed
- Advertising on Council's website, noticeboard, Facebook page and the Business Development e-newsletter.
- Promotion of the draft policy at the AUSTimber 2016 launch event on 13 November 2014.

Four weeks was provided for formal consultation.

During the consultation period, submissions were received from the following organisations and individuals:

- Churchill Fabrication
- Australian Forest Products Association
- Hallmark Oaks
- Australian Forest Contractors Association
- Paul Griffin, Latrobe City resident
- Australian Sustainable Hardwoods
- West Gippsland Catchment Management Authority
- Department of Environment and Primary Industries
- Frame and Truss Manufacturers Association
- Wood Products Victoria
- Whelan Logging
- Timber Merchants Association

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

- Law Somerville Industries
- Bensons Timber and Hardware
- Master Builders Association of Victoria
- Fenning Bairnsdale
- Planet Ark
- Carter Holt Harvey
- Forest and Wood Products Australia
- Fishers Pellets
- Victorian Association of Forest Industries
- Timber Towns Victoria
- Forestworks
- Building Designers Association of Victoria
- Jelfor Timbers

**OPTIONS**

Council has three options for this report:

1. Support the Recommendation to submit the motions to the MAV and the ALGA;
2. Not support the Recommendation to submit the motions to the MAV and the ALGA; and
3. Amend the Recommendation and submit the amended motions to the MAV and the ALGA

**CONCLUSION**

Council has been through a rigorous process to adopt Wood Encouragement Policy. The draft policy sought and received feedback from industry, community and government. The final Policy was adopted at a Council Meeting on 15<sup>th</sup> December 2014.

Council now seeks to promote the Policy to a wider Local Government audience. The appropriate representative organisations are the MAV and the ALGA. Motions have been developed for the forthcoming MAV State Council and the ALGA National Assembly.

Council needs to decide whether to support the submission of the motions.

**SUPPORTING DOCUMENTS****Attachments**

1. MAV State Council Meeting, Motion Form
2. Advice from MAV re: details of 15 May 2015 State Council Meeting
3. Wood Encouragement Policy, adopted 15 December 2014

## **12.2**

### **Wood Encouragement Policy**

<b>1</b>	<b>MAV State Council Meeting, Motion Form.....</b>	<b>65</b>
<b>2</b>	<b>Advice from MAV re: details of 15 May 2015 State Council Meeting .....</b>	<b>67</b>
<b>3</b>	<b>Wood Encouragement Policy, adopted 15 December 2014.....</b>	<b>69</b>

## MAV State Council Meeting – 15 May 2015

To submit a motion for consideration by State Council on 15 May 2015, please complete this form and email to [State Council](#), **no later than Friday, 17 April 2015**. Please note, deadlines are strictly observed.

### MOTION

[INSERT NAME OF MOTION]

**Submitted by:** *Latrobe City Council*

### MOTION:

That the MAV endorse Latrobe City Council's Wood Encouragement Policy and accept it as a policy of the MAV.

### RATIONALE:

Latrobe City Council recognizes the importance of the timber industry to the Victorian economy. Central to Council's commitment to job retention and creation is supporting significant local industry in order to secure jobs and leverage further investment in the timber industry. Council also recognizes that timber is a renewable and sustainable resource

In what is an Australian first for local government, Latrobe City Council adopted a Wood Encouragement Policy on the 15th December 2014. The Policy Goals are:

- To stimulate sustainable economic development within the Gippsland timber and wood products industry and encourage value adding products within the timber industry.
- To encourage the use of wood in the construction and fit out of Council buildings and infrastructure.
- To recognise all of the benefits that make wood a smart choice for Council buildings and infrastructure.
- To share information and encourage education regarding the benefits of using wood in construction and fit out of buildings and infrastructure.
- To demonstrate local and national leadership by enacting the Wood Encouragement Policy on Council buildings and infrastructure.
- To encourage the use of wood in demonstration projects across the municipality.
- To align with opportunities for state and federal funding.
- To reinforce Council's preference for quality wood buildings in the development of briefs for projects.
- To promote the industry as a renewable resource, capturing the environmental benefits of the resource.

Council seeks to promote the use of timber and timber engineered products throughout Victoria and the MAV is the appropriate organization to advocate to Local Government.

**Courtney Aquilina**

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**From:** Courtney Aquilina  
**Sent:** Tuesday, 31 March 2015 4:12 PM  
**To:** Bruce Connolly  
**Subject:** FW: From MAV CEO, Rob Spence: MAV State Council Meeting - 15 May 2015

**From:** Polly Banks [<mailto:PBanks@mav.asn.au>]  
**Sent:** Wednesday, 25 March 2015 3:53 PM  
**To:** Polly Banks  
**Subject:** From MAV CEO, Rob Spence: MAV State Council Meeting - 15 May 2015



25 March 2015

TO THE CHIEF EXECUTIVE OFFICER

*Sent to CEOs and CEO PAs*

Dear Colleague

**MAV State Council Meeting – 15 May 2015**

Please note the details for the next **MAV State Council Meeting**:

**Date:** Friday 15 May 2015  
**Time:** 9.30am (registration from 9.00am)  
**Venue:** Auditorium at the Sofitel Melbourne, 25 Collins Street

A formal notice of the meeting will be sent in due course. The due date for **receipt of motions** is **Friday 17 April 2015**.

Download a State Council Motion template [here>>](#)

Register your attendance for the MAV State Council Meeting [here>>](#)

Yours sincerely  
Rob

**Rob Spence** | Chief Executive Officer | Municipal Association of Victoria  
Level 12, 60 Collins Street, Melbourne Vic 3000  
GPO Box 4326, Melbourne Vic 3001  
**T** 03 9667 5502 | **F** 03 9667 5550

Attachments: Nil  
[www.mav.asn.au](http://www.mav.asn.au)

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Document Name: **Wood Encouragement Policy**

**14 POL-1**

Adopted by Council: **15 December 2014**

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## **Policy Goals**

- To stimulate sustainable economic development within the Gippsland timber and wood products industry and encourage value adding products within the timber industry.
- To encourage the use of wood in the construction and fit out of Council buildings and infrastructure.
- To recognise all of the benefits that make wood a smart choice for Council buildings and infrastructure.
- To share information and encourage education regarding the benefits of using wood in construction and fit out of buildings and infrastructure.
- To demonstrate local and national leadership by enacting the Wood Encouragement Policy on Council buildings and infrastructure.
- To encourage the use of wood in demonstration projects across the municipality.
- To align with opportunities for state and federal funding.
- To reinforce Council's preference for quality wood buildings in the development of briefs for projects.
- To promote the industry as a renewable resource, capturing the environmental benefits of the resource.

## **Relationship to Latrobe 2026 & Council Plan**

This policy relates to the following Strategic Objectives contained within Latrobe 2026: The Community Vision for Latrobe Valley and the Council Plan:-

### **Latrobe 2026:**

*In 2026, Latrobe Valley has a strong and diverse economy built on innovative and sustainable enterprise. As the vibrant business centre of Gippsland, it contributes to the regional and broader economies, whilst providing opportunities and prosperity for our local community.*

### **Council Plan:**

Job Creation and Economic Sustainability

### **Objective**

Actively pursue and support long term job security and the creation of new employment opportunities within the municipality

### **Strategic Direction**

Work in partnership with business, industry and government to create new jobs and investment in Latrobe City

### **Policy Implementation**



Latrobe City Council recognises the importance of the forest and wood products industry to both Latrobe City and the broader Gippsland region. Central to Council's commitment to job retention and creation is supporting significant local industry in order to secure jobs and leverage further investment.

Council will encourage the increased utilisation of wood in Council assets by:

1. Ensuring that all briefs for new Council projects incorporate the requirement to use wood as the preferred material for both construction and fit out purposes, where wood is deemed a suitable material for the proposed application;
2. Seeking those who can find, practical, efficient, versatile and cost-effective building and design solutions using wood when sourcing design and architectural expertise;
3. Ensuring that all comparisons to the cost of building with other materials will take into account all long-term and life cycle benefits of using wood;
4. Where possible, sourcing locally produced wood products for construction and fit out purposes;
5. Being a champion of the forest and wood products industry, by establishing this policy and demonstrating commitment to the further development of the local forest and wood products industry.
6. Actively seeking demonstration projects that showcase the use of wood within the municipality.
7. Actively working to attract new, innovative wood products manufacturers to Latrobe City.

In using wood as a preferred construction material for Council infrastructure, Council will have regard to:

1. The utilisation of wood products that meet the Australian Forest Standard, Program for the Endorsement of Forest Certification and / or Forest Stewardship Council certifications. Maintenance required throughout the life of the project;
2. Pest and fungus protection; and
3. Using wood only when it is the right material for the selected application.

This policy has been reviewed after giving proper consideration to all the rights contained within the *Charter of Human Rights and Responsibilities Act 2006*; and any reasonable limitation to human rights can be demonstrably justified.

Charter acknowledgement - for internal auditing purposes only:

YES / NO Name: \_\_\_\_\_ Date: / / 2014

Signed : \_\_\_\_\_ Date : / / 2014.  
*Chief Executive Officer*

# PLANNING & ECONOMIC SUSTAINABILITY

Councillor Sharon Gibson left the meeting, the time being 06:36 PM

### **13. PLANNING & ECONOMIC SUSTAINABILITY**

#### **13.1 LATROBE CITY SPORTS EXCHANGE PROGRAM 2015/2016**

**General Manager**

**Planning & Economic  
Sustainability**

#### **For Decision**

#### **PURPOSE**

The purpose of this report is to present the proposed 2015/16 Latrobe City Sports Exchange Program to our Sister Cities for the consideration of Council.

#### **EXECUTIVE SUMMARY**

Latrobe City is committed to an International Relations Program for our community, for the purpose of international exchange and cooperation in the fields of economy, trade, science and technology, cultural exchange, education, sports, health and people.

Latrobe City through valued partnerships with local community groups, sporting associations and musical bands has seen over 520 residents from Latrobe City participate in Latrobe City initiated exchanges programs since 2000.

To broaden and make accessible the range of existing cultural, sporting, educational and youth exchange opportunities for the residents of Latrobe City, Latrobe City has conducted biennially youth music and sport exchange programs with the most recent being the Music Exchange program in 2013/2014. In 2015/2016, it is proposed a Sports Exchange Program will be undertaken with our Sister Cities.

Following consultation with both Sister Cities and interest from local sporting organisation, the preferred sports for the 2015/16 program are tennis to Taizhou, China and athletics (distance running) to Takasago City, Japan.

Past Sport Exchanges have been very successful programs enabling members of Latrobe City's sporting association the opportunity to experience the culture of China and Japan and it is recommended that the proposed 2015/16 sporting exchange program be endorsed.

**RECOMMENDATION**

**That Council:**

- 1. Approves the following proposed Sports Exchange Program to both sister cities in 2015/16;**  
**Taizhou, China – Tennis**  
**Takasago City, Japan – Athletics (distance running)**

**Moved:** Cr Gibbons

**Seconded:** Cr White

**That the Recommendation be adopted.**

**For the Motion**

Councillors White, Gibbons, Rossiter, Sindt, O'Callaghan, Middlemiss and Harriman

**Against the Motion**

Councillor Kam

**The Mayor confirmed the Motion was CARRIED.**

**FORESHADOWED MOTION**

**That a report come back to Council detailing what visits we have received from our Sister Cities when, for what, and the duration of the stay.**

**Moved:** Cr Kam

**Seconded:** Cr Rossiter

**For the Motion**

Councillors Rossiter, Sindt, O'Callaghan, Middlemiss, Kam and Harriman

**Against the Motion**

Councillors White and Gibbons

**The Mayor confirmed the Motion was CARRIED.**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

The report is consistent with the Sister City Visits Policy which states... "Through cultural, educational and sporting exchanges, the program helps to break down intercultural barriers (encouraging) openness, tolerance and mutual understanding".

*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives - Culture*

*In 2026, Latrobe Valley celebrates the diversity of heritage and cultures that shape our community, with activities and facilities that support the cultural vitality of the region.*

*Latrobe City Council Plan 2013 - 2017*

*Theme and Objectives*

*Theme 4: Advocacy for and consultation with our community*

*Strategic Direction – Establish a strong image and brand for Latrobe City as one of Victoria's four major regional cities.*

*Establish opportunities for volunteers to assist in raising the profile of Latrobe City.*

*Strategy – Latrobe City International Relations Plan 2011-2014*

Key Objectives:

- 1. COMMUNICATION ACTIVITIES** – To further enhance the Latrobe City's community understanding of the value of our International Relations Program.
- 2. INTERNATIONAL INVESTMENT** - To continue to promote Latrobe City as an international investment location.
- 3. ECONOMIC AND CULTURAL STRENGTHS** - To market the economic and cultural strengths of Latrobe City internationally.
- 4. INTERNATIONAL STUDENTS** - To enthusiastically promote Latrobe City as a destination for international students.

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**5. COMMUNITY INVOLVEMENT** – To expand and make accessible the range of existing cultural, sporting, educational and youth exchange opportunities for the residents of Latrobe City.

**6. FUNDING OPPORTUNITIES** - To pursue funding assistance opportunities that will facilitate meeting the objectives of the International Relations Plan.

**7. SISTER CITIES** – To develop, nurture and further enhance our relationship with sister cities.

**8. COMMUNITY ENGAGEMENT** - To positively engage with individual groups and organisations for the benefit of the Latrobe City community.

**BACKGROUND**

Latrobe City, through valued partnerships with local community groups, sporting associations and the Latrobe City Youth Band has seen over 520 young people from Latrobe City experience Japanese and/or Chinese culture through exchanges with our Sister Cities.

Together with music, sport has long been considered an international language that brings people together with diverse cultural backgrounds through sportsmanship.

Past Youth Exchange Programs include:

2004 Latrobe City Youth Band – Takasago and Taizhou

2006 Latrobe City Sports Exchange Taizhou – Table Tennis

2006 Latrobe City Sports Exchange Takasago – Basketball and Soccer

2008 Latrobe City Youth Band – Takasago and Taizhou

2010 Artists Exchange – Takasago and Taizhou

2012 Latrobe City Sports Exchange Takasago – Judo

2012 Latrobe City Sports Exchange Taizhou – Swimming

2014 Latrobe City Music Ensemble – Takasago and Taizhou

These exchange programs have been a valuable experience for students and accompanying adults to learn and appreciate diverse cultures through grass-roots relationships.

Although titled as being a “sports exchange”, the sporting component to this program is somewhat secondary with the focus predominantly on enhancing cultural understanding and awareness and providing individuals from a range of socio-economic backgrounds within Latrobe City an opportunity to develop and demonstrate their sporting and personal skills through sportsmanship without any barriers to prejudices.

The purpose of the program is to continue strengthening the links between Latrobe City Council and our Sister Cities and these exchange programs are considered an investment for life. The experience can be beneficial for participants in many different and valuable ways:

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- Get to know how others live and come to see the world from another perspective;
- Test yourself and acquire independence and maturity;
- Make new friends and appreciate old ones even more;
- Gain experience and judgement;
- Learn about the world first hand.

### **KEY POINTS/ISSUES**

With the most recent Exchange Program taking place in the 2013/14 year, the biennial program proposed for 2015/16 is a Sports Exchange Program.

Following discussions with local sporting associations and endorsement from both the Cities of Takasago and Taizhou the following exchanges are proposed:

Exchange to Taizhou, China

- Tennis team (combination of male and female)

Exchange to Takasago, Japan

- Athletics team/distance running (combination of male and female)

### **Participants**

10-15 participants per exchange from across Latrobe City and up to 4 adults will be required to accompany each tour. The accompanying adults may include a team coach, team manager for each team and Latrobe City Council officers to provide support during the exchange.

### **Age Group**

For the China exchange, it is proposed that middle school students will participate; 13 to 16 years. However, the purpose of the exchange to Japan is to participate in the 2016 Takasago Marathon (multiple categories) and open age is recommended.

### **Proposed Dates**

The exchanges are proposed for a period of 7-10 days each which will comprise of training sessions, competition, attending Sister Schools, homestays, cultural activities and educational tours.

Whilst it is not possible to define actual dates at present, the following has been identified as potential options:

#### Taizhou City

It is proposed that the exchange program will be undertaken during late September, early October 2015. This is an ideal time as it coincides with Victorian school holidays and the 2015 China Tennis Open.

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### Takasago City

To coincide with the Japanese fiscal year (1 April to 31 March) the Takasago International Association has requested that the exchange program occur between 1 April 2016 and 31 March 2017. Considering the request, it is proposed that Latrobe City will participate in the Takasago Marathon in November 2016.

Latrobe City Council's sister cities will play a significant support role in hosting our teams which will include arranging homestays for up to 4 nights with a preference for weekends.

### **Roles and Responsibilities**

#### Latrobe City Council

Latrobe City Council's International Relations team will coordinate the exchange program in conjunction with support from our Sister Cities and participating organisations. Key responsibilities include:

- Provide sponsorship to each exchange to the sum of \$12,500.00;
- Communicate with Sister Cities;
- Planned itineraries and travel arrangements;
- Information sessions;
- Pre-departure briefings;
- Cultural Awareness sessions / information;
- Regular newsletter updates;
- Support fundraising initiatives;
- Council Officers to accompany each exchange.

#### Participating Sporting Associations / Club

Sporting Associations will play a significant role in supporting Latrobe City Council coordinate the Sports Exchange Program. Key responsibilities include:

- Selection of suitable and worthy ambassadors from across Latrobe City;
- Provide Personnel: One team coach, one team manager / support person;
- Training sessions pre-departure will be coordinated and conducted by the above personnel;
- A support group will be required to assist with a well-coordinated fundraising program;
- Actively participate in fundraising initiatives;
- Promote the Sports Exchange Program both pre and post the delegation;
- Ensure all participants meet all travel and medical requirements;
- Support Latrobe City Council with the coordination of exchanges;
- Take responsibility for the welfare of teams whilst on exchange.



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### Individual Participants

Participating individuals will have the following key responsibilities:

- Be a worthy ambassador;
- Complete all mandatory compliance documentation;
- Provide proof of residence in Latrobe City;
- Actively participate in fundraising initiatives;
- Attend information sessions;
- Attend Pre-departure briefings;
- Attend Cultural Awareness sessions;
- Act as a Latrobe City Council international relations ambassador post exchange;
- Promote the Sports Exchange Program both pre and post exchange.

Latrobe City Councils Sister Cities Agreements include the following clauses.

- *That each city shall strive to promote the interchanging of ideas, culture and education and shall encourage the promotion of youth and cultural changes to promote cultural awareness.*
- *That the promotion of different sporting and tourism events be encouraged to exchange ideas and to co-ordinate the staging of events to encourage participation from both countries.*

A large percentage of Japanese and Chinese citizens belong to sporting clubs and their commitment to improving their sporting skills is paramount. The Latrobe City residents who are fortunate enough to participate in the 2015/16 program will be expected to participate in homestays, host school programs including training, competition and other community organised activities.

In regards to the proposed athletics program to Takasago City, Japan, opening the eligibility criteria to open age will result in the broader Latrobe City community being exposed to our International Relations Program. Consequently, the opportunity for annual reciprocation between both cities to participate in one another's marathon is a real possibility and welcomed by both cities.

In addition, there will be an opportunity to leverage off the Sports Exchange Program with several investment and relationship development meetings being investigated with key industries and government agencies in both China and Japan.

If adopted, in accordance with the Sister City Visits Policy a draft itinerary and suggested attendees shall be presented to Council for endorsement within a minimum of 30 days of the proposed departure date.

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### **Latrobe City International Relations Plan 2011-2014**

It should be noted that the actions within the Latrobe City International Relations Plan 2011-2014 are continuing and this sports exchange program is consistent with the plan.

It is proposed that a future report is presented to Council seeking guidance in relation to the development of a new Latrobe City International Relations Plan.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

Should the 2015/16 Sports Exchange Program not be endorsed, there may be a negative impact on the Sister Cities relationship and the benefits that would otherwise be derived from the relations.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

There is an allocation of \$25,000.00 in Council's draft 2015/2016 budget to support the program. The cost for each individual to participate in the exchange is \$3,500.00 of which Council will contribute \$800.00 in sponsorship to each participant.

The \$3,500.00 is attributed to the following expenses:

Description	Amount
Airfares	\$1,500.00
Insurance	\$170.00
Accommodation	\$750.00
Bus, Rail & Cultural Attractions	\$550.00
Uniforms	\$180.00
Meals	\$350.00
<b>TOTAL</b>	<b>\$3,500.00</b>

It should be noted that the true cost of each of these delegations will exceed \$50,000.00, with the balance of funding raised through sponsorship, fundraising and individual contributions.

Council Officer associated costs with each delegation will be limited to airfares and accommodation (total of approximately \$4,000.00 per person). It has been normal practice for the host city to provide meals and activities to delegations.

As has been past practice, those Councillors (other than the Mayor or his/her delegate) wishing to participate in the delegations, will be required to personally fund their own airfares and accommodation expenses.

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It is anticipated that individual members of the International Relations Committee may also fund their own expenses to accompany the delegation.

Participation in the sports exchange will adhere to councils *Sister City Visits Policy 12-POL-1*.

### **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

The proposed 2015/16 Sports Exchange Program has been developed in consultation with the Latrobe City International Relations Committee and with both the City of Takasago and City of Taizhou who have endorsed the proposed program.

### **OPTIONS**

Council has the following options in respect to the Sports Exchange Program to both Sister Cities:

1. Approve the proposed Sports Exchange Program to both Sister Cities in 2015/2016.
2. Not approve the proposed Sports Exchange Program to both Sister Cities in 2015/2016.
3. Request further information in relation to the proposed Sports Exchange Program to both Sister Cities in 2015/2016.

### **CONCLUSION**

Latrobe City, through valued partnerships with local community groups, sporting associations and the Latrobe City Youth Band has seen over 520 young people from Latrobe City experience Japanese and/or Chinese culture through exchanges with our Sister Cities.

All past youth exchange programs have been extremely successful providing life changing experiences and adoption of another program will allow Latrobe City Council to continue strengthening the links between Latrobe City Council and our Sister Cities relationships.

With the most recent Exchange Program taking place in the 2013/14 year, the biennial program proposed for 2015/16 is a Sports Exchange Program.

Following discussions with local sporting associations and endorsement from both the Cities of Takasago and Taizhou the following exchanges are proposed:

Exchange to Taizhou, China

- Tennis team (combination of male and female)
- October 2015

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Exchange to Takasago, Japan

- Athletics team/distance running (combination of male and female)
- November 2016

**SUPPORTING DOCUMENTS**

Latrobe City Sister City Visit Policy – 12POL-1

**Attachments**

1. Latrobe City Sister City Visit Policy

## **13.1**

### **Latrobe City Sports Exchange Program 2015/2016**

<b>1</b>	<b>Latrobe City Sister City Visit Policy .....</b>	<b>83</b>
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Document Name: **Sister City Visits Policy**

**12 POL-1**

Adopted by Council: **4 June 2012**

**Policy Goals**

Latrobe City has established and managed formal sister city relationships on behalf of our community, to gain a deeper understanding of each other's culture, traditions, society and people. To this end, Latrobe City has two formal sister city relationships; with Takasago City, Japan and the City of Taizhou, China.

Latrobe City recognises that a key to achieving this deeper understanding is through young people and this is why a significant focus of Latrobe City's programs is with the youth of our community. A Sister City Program enables citizens to become directly involved in international relations in a unique and meaningful way, bringing long-term benefits to the local community and its partners abroad.



Sister city relationships allow communities to exchange experiences and ideas, gain an international perspective and increase their understanding of global issues.

In addition to encouraging international peace and goodwill, Latrobe City's sister city relationships go much further leading to economic growth, increased tourism, and reliable business contacts.

**Benefits of Sister Cities**

Our Sister City Program helps promote Latrobe City as a city of global significance, through exchanges and initiatives that focus on five key areas – education, culture, trade, tourism and sport.

The program enables us to foster international peace and goodwill, enriching our community with a broader understanding of other nations, their traditions, customs and cultures. Crucially though, it also provides a multi-lateral framework for cultivating economic growth across a host of trade, industry and business sectors.

**The Economic and Business Benefits**

Our active sister city relationships have an important role to play in developing international economic partnerships. Latrobe City enjoys investment in the billions from International

interests in local industry and there is a demonstrated and sustained interest in Latrobe City as a potential investment location from overseas firms.

Helping to establish reliable business contacts and thereby improve business opportunities, the program acts as a gateway to new markets and trade alliances. It acts as a springboard and catalyst for new investment and knowledge-sharing opportunities, while also promoting tourism, inbound education and providing a platform from which we can address global issues with our international partners.

### **The Social and Cultural Benefits**

Through cultural, educational and sporting exchanges, the program helps to break down intercultural barriers. It promotes diversity and encourages openness, tolerance and mutual understanding, all of which enrich our communities and those of our international partners.

This policy outlines the guidelines for sending Latrobe City Council led delegations from Latrobe City to our Sister Cities abroad.

### **Relationship to Latrobe 2026 & Council Plan**

This policy relates to the following Strategic Objectives contained within Latrobe 2026: The Community Vision for Latrobe Valley and the Council Plan:-

#### **Culture:**

##### **Latrobe 2026:**

*In 2026, Latrobe Valley celebrates the diversity of heritage and cultures that shape our community, with activities and facilities that support the cultural vitality of the region.*

##### **Council Plan:**

*Increase the accessibility of Latrobe City Council's cultural facilities, programs and events.*

*Facilitate the growth and success of cultural programs, sporting and community events through active engagement, promotion and marketing.*

*Foster greater awareness, understanding and respect for other cultures through the promotion of international relations.*

##### ***Service Provision – Culture***

*Deliver International Relations services in accordance with the Latrobe City International Relations Plan.*

##### ***Major Initiatives - Culture***

*Deliver the Latrobe City International Relations Plan 2011-2014 to enhance cultural and economic benefits.*

## Policy Implementation

### Timelines:

- A draft itinerary and suggested attendees shall be presented to Council for endorsement within a minimum of 30 days of the proposed departure date.
- A report outlining the key outcomes from sister city visits shall be provided to Council within 60 days of a delegations return to Australia.

### Councillors:

- The Mayor and/or their delegate will generally be required to attend sister city visits to represent the City. The Deputy Mayor and/or Councillors who sit on the Latrobe City International Relations Committee would generally be selected as the Mayors delegate.
- Council must approve the Councillor representative prior to any expense being incurred.
- Additional Councillors may also be invited to attend, but this would normally be at the Councillors own expense.

### Council Officers

- The Chief Executive Officer will advise Council the officers who will attend sister city visits in order to achieve the objectives of the planned visit.

### Community Representatives

- Community representatives shall be selected / recommended by a selection panel made up of the Mayor and/or Councillors who sit on the Latrobe City International Relations Committee and appropriate council officers.
- If there is to be any expense incurred by Latrobe City Council by the inclusion of community representatives attending sister city trips, all names and the purpose of their attendance shall be provided to Council for approval.

### Budgets:

- The budget for any proposed outbound sister city visits must be approved by Council prior to any expense being incurred.
- A report outlining the expenses incurred in undertaking a sister city visit shall be provided to Council within 60 days of a delegations return to Australia.

This policy has been reviewed after giving proper consideration to all the rights contained within the *Charter of Human Rights and Responsibilities Act 2006*; and any reasonable limitation to human rights can be demonstrably justified.

Signed : \_\_\_\_\_  
*Chief Executive Officer*

Date : 06 /06 / 2012.



Councillor Sharon Gibson returned to the meeting, the time being 07:01pm

**13.2 COUNCIL AUTHORISATION TO PREPARE A PLANNING  
SCHEME AMENDMENT FOR ASHWORTH DRIVE, TRARALGON**

**General Manager**

**Planning & Economic  
Sustainability**

**For Decision**

**PURPOSE**

The purpose of this report is for Council to consider a request to be made to the Minister for Planning to authorise the preparation and exhibition of a proposed amendment to the Latrobe Planning Scheme. In accordance with Section 8A (3) of the *Planning and Environment Act 1987* (the Act). The amendment proposes to rezone part of Ashworth Drive, Traralgon, (Lot 1-12 on PS126409) including the property at 124 Cross's Road, Traralgon, from Rural Living Zone 3 (RLZ3) to General Residential Zone (GRZ).

**EXECUTIVE SUMMARY**

This report seeks Council consideration to authorise a request to the Minister for Planning to prepare and exhibit a proposed amendment to the Latrobe Planning Scheme. The amendment proposes to rezone part of Ashworth Drive, Traralgon, including the property at 124 Cross's Road, Traralgon, from RLZ3 to GRZ. The land comprises part of the endorsed Cross's Road Development Plan (CRDP).

The land is located on the northern side of Cross's Road and sits on the north-western fringe of Traralgon (see Attachment One – Subject Land Map). The land is wedged between existing and emerging residential neighbourhoods to the east and west and farmland to the north, forming a transition between urban and rural development.

The amendment application sets out the existing conditions of the land including land ownership and current land use; an overview of the State and Local Planning Policy Framework including current zoning and overlays; as well as the approved CRDP. Refer to Attachment Two.

**RECOMMENDATION**

**That Council requests authorisation from the Minister for Planning to prepare and exhibit the proposed amendment to the Latrobe Planning Scheme, which seeks to rezone part of Ashworth Drive, Traralgon, Lot 1-12, PS126409 including the property at 124 Cross's Road, Traralgon, from Rural Living Zone 3 to General Residential Zone**

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**Moved:** Cr Gibbons  
**Seconded:** Cr Middlemiss

**That the Recommendation be adopted**

**CARRIED UNANIMOUSLY**

**FORESHADOWED MOTION**

1. That Council write to the landowners directly affected by the proposed amendment to the Latrobe Planning Scheme which seeks to rezone part of Ashworth Drive Traralgon Lot 1-12 PS126409 including the property at 124 Cross's Rd Traralgon from Rural Living Zone 3 to General Residential Zone advising them of the exhibition period
2. That Officers arrange meeting(s) with the directly affected residents to help answer any questions in regard to the proposed planning amendment

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

**That the Motion be adopted.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

***Latrobe 2026: The Community Vision for Latrobe Valley******Strategic Objectives – Built Environment (City Planning)***

In 2026, Latrobe Valley benefits from a well-planned built environment that is complementary to its surroundings, and which provides for a connected and inclusive community.

Latrobe City is a vibrant and diverse community. Council is ensuring that the changing needs and aspirations of our diverse community are met by providing facilities, services and opportunities that promote an inclusive and connected community.

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

*Theme 5: Planning for the future*

*To provide a well-planned, connected and liveable community.*

*To provide clear and concise policies and directions in all aspects of planning.*

*Strategic Direction – Planning for the future*

Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.

Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments

*Legislation –*

The provisions of the Latrobe Planning Scheme and the following legislation apply to this amendment:

- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Transport Integration Act 2010*

The proposed amendment is consistent with the Latrobe Planning Scheme and the applicable legislation.

**BACKGROUND**

An amendment application was received on 14 October 2014, by The Planning Group (TPG) acting on behalf of Steve and Gayle Wood. The application was accompanied by the Planning Scheme Amendment Application Report, prepared by TPG and can be found at Attachment Three.

The subject land is at Ashworth Drive, Traralgon and is defined as Lot 1-12 on PS126409, including the property at 124 Cross's Road, Traralgon (see Attachment One). The area proposed to be rezoned comprises 25.54 ha of the total 75.96 ha of land that forms the Cross's Road Development Plan. The CRDP was endorsed by Council in September 2012 and a number of technical reports were endorsed as part of the Development Plan, these form background documentation for the current rezoning proposal. The Development Plan Map is found at Attachment Four. The Development Plan identifies a density of dwellings at 11.9 lots a hectare.

The proposal seeks to rezone the subject land from RLZ3 to GRZ. The proposal amends current maps in the Latrobe Planning Scheme to represent the rezoning application (see Attachment Five). Development Plan Overlay Schedule 5 – Residential Growth Areas (DPO5) currently applies to the subject land and will continue to apply.

The subject land comprises the last remaining parcels of land to be rezoned to residential land, as part of the CRDP and Area One of the Traralgon Structure Plan.

### Planning Scheme Amendments

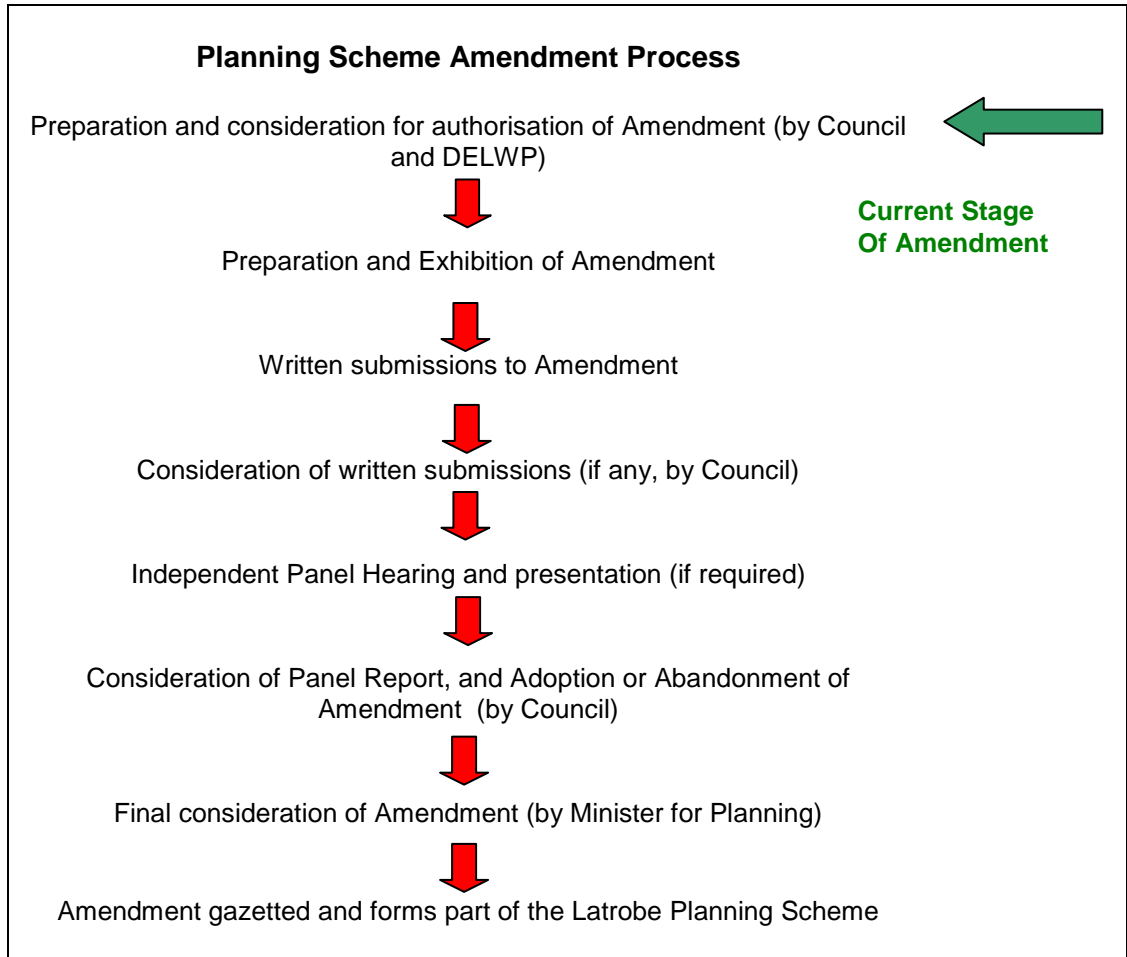
A previous planning scheme amendment C56 undertaken by the Minister for Planning sought to rezone land at 150 Tyers Road and 240 Cross's Road, Traralgon. This land is covered by the same DPO5 and approved Development Plan as the subject land and was rezoned from Farming Zone to Residential 1 Zone (now General Residential Zone) as part of amendment C56 in May 2011.

Although identified as future residential within the Traralgon Structure Plan, the land at Ashworth Drive (subject land) remained as Rural Living Zone. At the time of Amendment C56, there were a number of issues that could not be resolved for the amendment to continue and therefore the subject land was removed from the Amendment to be rezoned at a later date. It is noted in the application report (Attachment Three) that some landowners in the precinct are not supportive of this proposed amendment.

In order to facilitate the strategic direction of the Traralgon Structure Plan, Traralgon Growth Areas Review and the CRDP it is considered appropriate that the remaining Rural Living Zone land be rezoned to residential.

Statutory Requirements

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



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

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

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

This Amendment proposal has had regard to Section 12 of the Act and is consistent with the requirements of Section 12.

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

In addition each amendment must address the Department of Environment, Land, Water & Planning (DELWP) publication *Strategic Assessment Guidelines for Planning Scheme Amendments*. A response to these guidelines is included in the Explanatory Report which will be exhibited with this proposed amendment.

The proposal is consistent with the State Planning Policy Framework and the Municipal Strategic Statement (MSS). A response to this is included in the Explanatory Report which will be exhibited with this proposed amendment.

The proposal is consistent with the State Planning Policy Framework at Clause 11 – Settlement, Clause 15 – Built Environment and Heritage and Clause 16 – Housing.

The proposal is also consistent with the Municipal Strategic Statement (MSS) specifically Clause 21.04 – Built Environment Sustainability, Clause 21.05 – Main Towns and Clause 21.08 – Liveability. A response to this is included in the Explanatory Report which will be exhibited with this proposed amendment.

### **INTERNAL/EXTERNAL CONSULTATION**

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

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

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

Preliminary engagement has been undertaken by TPG with landowners of this proposed amendment and the table below identifies their preliminary views.

Support	8
Objection in principle	2
Uncommitted	2

### KEY POINTS/ISSUES

The CRDP outlines open space and linkages for west Traralgon, along drainage lines which are specified in the Figure below. Public open space provisions outlined in the Development Plan ensures all homes will be within 500m walking distance. A well planned and connected network of open space contributes to the liveability of the Development Plan area and provides opportunities for active transport and passive recreation activities including walking, jogging and cycling.

### Environmental Constraints

As part of the subject land is covered by native vegetation, an ecological assessment was provided to inform the Development Plan. It is the usual process for such detail to be further assessed at subdivision stage.

A Flooding Overlay and Land Subject to Inundation Overlay applies to part of the subject land, due to a waterway traversing the land. The DPO5 indicates public open space along the waterway (see Figure below). The waterway may impact the development potential of the land however a road network is proposed for the subject land which integrates the requirements of the waterway buffer. As for native vegetation, it is the usual process for such detail to be further assessed at subdivision stage.



Figure: Extract Figure 9 Street hierarchy and internal and external active path network – Cross's Road Residential Precinct Development Plan

### Cross's Road Residential Precinct Development Plan

The CRDP was endorsed by Council in September 2012. The Development Plan was prepared for the adjoining land and also encompasses the subject land. The Development Plan identifies a density of dwellings at 11.9 lots a hectare.

The Development Plan provided for a range of lot yields informed by the constraints of the subject land. The Development Plan acknowledges that conventional residential development may not be obtained due to the constraints listed above. Subdivision layout will be further assessed at subdivision stage.

Therefore, the Development Plan may need to be further considered at the subdivision stage to take into account constraints of the subject land to enable conventional residential development.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

The Development Plan may need to be further considered at the subdivision stage to take into account constraints of the subject land to enable conventional residential development.

The proposed amendment does not have the entire support of all landowners in the Ashworth Drive, Traralgon precinct.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

The prescribed fees for planning scheme amendments are detailed in the *Planning and Environment (Fees) Regulations 2012*. The costs associated with a planning scheme amendment include: considering a request to amend a planning scheme, consideration of submissions, providing assistance to a panel and adoption and approval of an amendment.

As this amendment is being undertaken at the request of the landowner, statutory fees associated with this proposed amendment will be met by the proponent, The Planning Group.

### **OPTIONS**

The options available to Council are as follows:

- 1 That Council pursues the proposed amendment and supports the request to be made to the Minister for Planning to authorise the preparation and exhibition of the amendment to the Latrobe Planning Scheme.

Or

- 2 That Council does not support the request to be made to the Minister for Planning, to authorise the preparation and exhibition of the amendment to the Latrobe Planning Scheme and therefore abandons the amendment.



**CONCLUSION**

Council has received a proposal to undertake a planning scheme amendment that seeks to rezone part of Ashworth Drive, Traralgon, including the property at 124 Cross's Road, Traralgon, from RLZ3 to GRZ. Seeking Authorisation to exhibit the proposed planning scheme amendment is consistent with facilitating development of the subject land for future residential purposes as identified in the Latrobe Planning Scheme Traralgon Structure Plan, Traralgon Growth Areas Review and the endorsed Cross's Road Development Plan. Proceeding to the public exhibition process will enable the community to be engaged and make comment on the proposal.

**SUPPORTING DOCUMENTS**

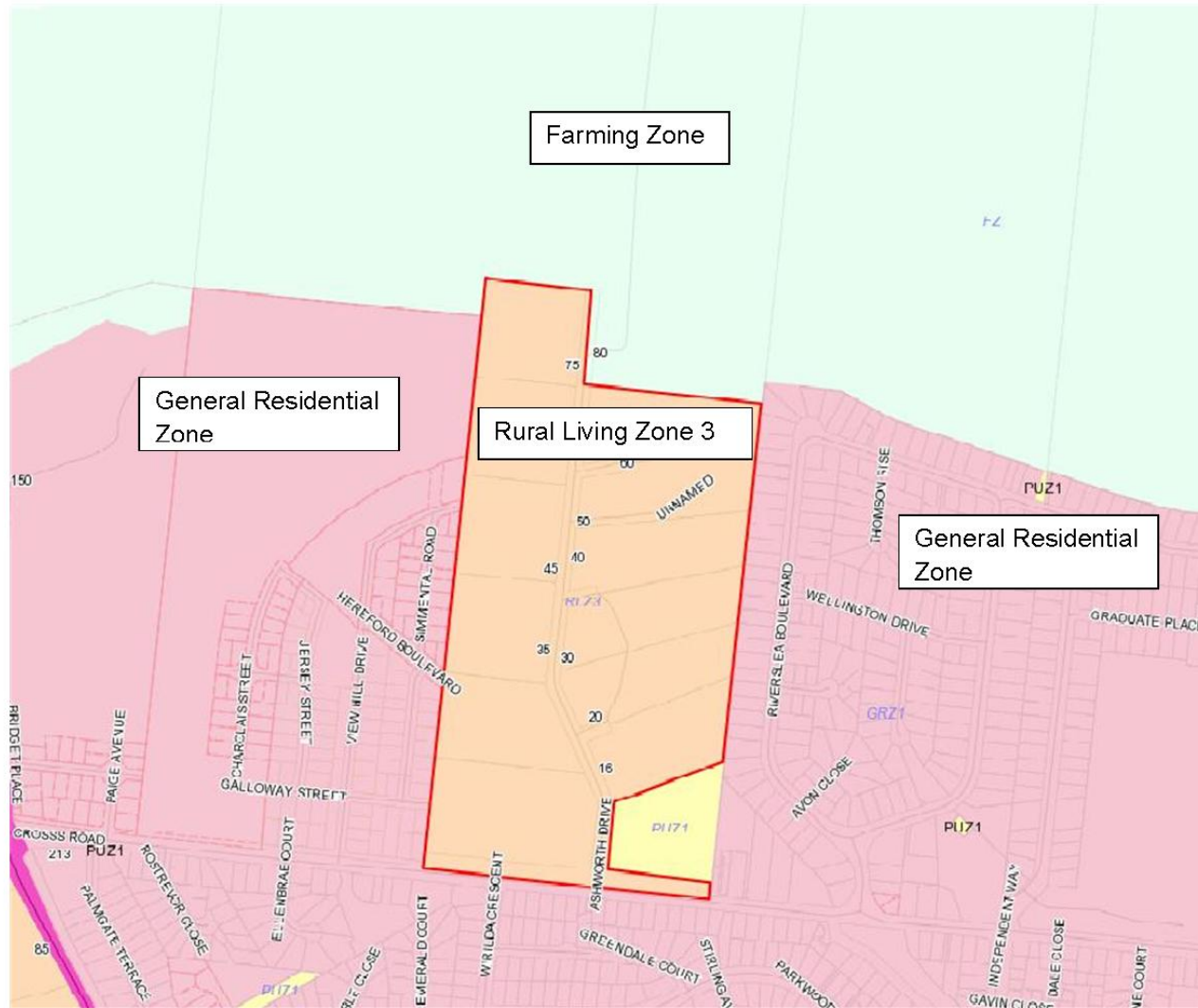
**Attachments**

1. Subject Land Map
2. Cross's Road Residential Precinct Development Plan
3. Planning Scheme Amendment Application Report
4. Development Plan
5. Proposed Zoning Map

## **13.2**

### **Council Authorisation to Prepare a Planning Scheme Amendment for Ashworth Drive, Traralgon**

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<b>2</b>	<b>Cross's Road Residential Precinct Development Plan.....</b>	<b>99</b>
<b>3</b>	<b>Planning Scheme Amendment Application Report .....</b>	<b>333</b>
<b>4</b>	<b>Development Plan.....</b>	<b>371</b>
<b>5</b>	<b>Proposed Zoning Map .....</b>	<b>373</b>






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**Cross' Road Residential Precinct Development Plan,  
Traralgon  
31 August 2012**

Prepared by CPG with SMEC on behalf of land owners for approval by Latrobe  
City Council



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Cross' Road Traralgon


This report has been prepared from the office of CPG

Level 3 469 Latrobe Street PO Box 305 South Melbourne 3205 T 9993 7888

## Acknowledgements and Recognition

SMEC

Projectman

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Issue Date	Revision No	Author	Checked	Approved
20/12/2011	V01	JPM	TR	TR
23/12/2011	V02	JPM	TR	TR
18/01/2012	V03	JPM	MG	TR
23/02/2012	V04	TR	TR	TR
18/06/2012	V05	TR	TR	TR
04/07/2012	V06	TR	TR	TR
31/08/2012	V07	TR	TR	TR

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**1 Introduction**

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The Development Plan (Plan) has been prepared in accordance with the requirements of Schedule 5 to the Development Plan Overlay (DPO) in the Latrobe Planning Scheme.

*BT*

The Plan covers 75.96 hectares of Council land affected by the DPO located on the north-east corner of Cross' Road and Tyers Road, Traralgon. The land is bounded by Tyers Road to the west, Cross' Road to the south, the Riverslea Estate residential subdivision to the east and Latrobe River floodplain to the north.

The Plan covers fifteen properties including land at 150 Tyers Road, 240 Cross' Road and thirteen properties in Ashworth Drive.

**Figure 1: Plan Area**



Source: <http://services.land.vic.gov.au/maps/interactive.jsp>, accessed 17 November 2011

**1.1 Basis for the Development Plan**

150 Tyers Road and 240 Cross' Road total 47ha and were rezoned from Farming Zone to Residential 1 Zone as part of Amendment C56 to the Latrobe Planning Scheme on 5 May 2011. The rezoning provides residential land required to meet demand and implement the objectives of the *Traralgon Structure Plan*.

Cross' Road Traralgon



The thirteen properties in Ashworth Drive total 29.4ha and were not rezoned and remain Rural Living Zone Schedule 3. Amendment C56 applied the DPO to all land in Figure 1.

## 1.2 The Role of the Development Plan

The Plan has been prepared by consultants CPG and SMEC on behalf of the land owners of 240 Cross' Road and 150 Tyers Road which comprise 61% of the Plan area. It seeks to provide an integrated vision for co-ordinated development of all properties affected by the DPO.

Properties in Ashworth Drive require rezoning (Rural Living Zone Schedule 3 to Residential 1 Zone) before residential subdivision can occur. Nonetheless the Plan sets a framework for staged development which ensures future connections and servicing requirements can be delivered in a flexible and fair manner for all properties if land owners choose to develop.

The Plan has been prepared in consultation with Latrobe City Council, Gippsland Water, West Gippsland Catchment Management Authority, VicRoads, DSE, EPA, SP AusNet and CFA. It addresses land use and subdivision, waterways, infrastructure services, open space, community hubs and meeting places, flora and fauna and cultural heritage.

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## 2 Site analysis

### 2.1 Site context

The subject site is located on the north west edge of the Traralgon township as shown in Figure 2. Urban development in this location is contained by Tyers Road which forms the logical western township boundary and a transition to farming land. The Latrobe River floodplain which adjoins the northern boundary of the site limits urban development to the north.

Standard residential subdivision has developed south of Cross' Road and east of the site in the Riverslea Estate.

The site is in proximity to a range of services and facilities listed below:

#### Commercial /Business Facilities

Traralgon Central Activity Centre 3.8 kilometres south east

#### Education

St Gabriels Primary RC Primary 1.0 kilometre south

St Pauls Anglican Primary School 1.4 kilometres east

Traralgon Secondary College (West Campus) 1.5 kilometres south east

ABC Traralgon West, Child Care Centre 2.0 kilometres south east

Lavalla RC Secondary and Primary School 2.4 kilometres south east

#### Health

Traralgon Medical Centre 3.4 kilometres south east

Hillcrest Family Medicine 3.6 kilometres south east

#### Transport

Traralgon Bus Services (Route 1, Rangeview) 1.2 kilometres south east

Traralgon Railway Station 3.4 kilometres south east

Princes Highway 3.8 kilometres south east

#### Recreation

Traralgon West Sports Complex 1.7 kilometres south east

Traralgon Golf Club 2.5 kilometres south

Traralgon Showgrounds 4.1 kilometres south east

Traralgon Racecourse (Glenview Park) 5.6 kilometres southeast

#### Natural Environment

Wade Creek 1.0 kilometre east

Latrobe River 1.3 kilometres north

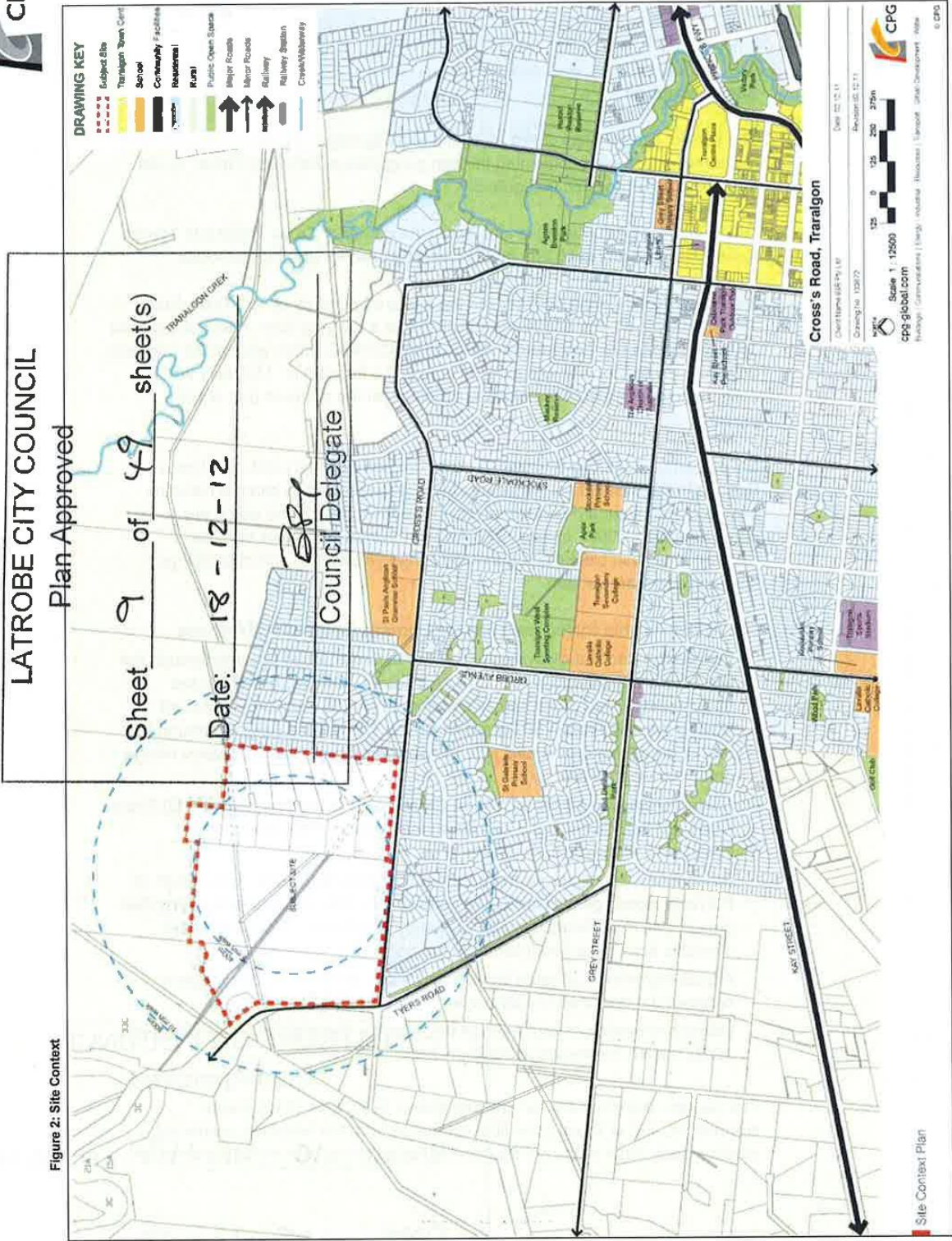
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Cross's Road Traralgon



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**2.2 Site description**

The subject site consists of two adjoining farming properties and a large lot rural residential subdivision containing thirteen properties in Ashworth Drive. A site analysis plan is provided in Figure 3.

150 Tyers Road ('Yurragar') is located on the corner of Cross' Road and Tyers Road. The property is 15.2ha and is currently used for grazing purposes.


240 Cross' Road ('View Hill') adjoins the eastern boundary of 150 Tyers Road. The property is 31.4ha and is currently used as a dairying farm. The dairy grazes cattle on land in Lot 2 on Plan of Subdivision 424148C which adjoins the northern boundary of the property and extends across the floodplain. The dairy will continue to operate from the existing buildings on the northern part of the property.

Six properties in Ashworth Drive share a common boundary with 240 Cross' Road. On the east side of Ashworth Drive seven properties share a common boundary with standard residential lots in the Riverslea Estate which are approximately 1,000m<sup>2</sup> in size. The Ashworth Drive properties are rural residential or bush blocks and generally contain a dwelling and outbuildings although some are vacant.

The landform in the subject area has the following topographical features:

- Two designated waterways enter the site at Cross' Road passing through the site before intersecting in the north east corner. One waterway passes through 240 Cross' Road before entering 45 and 55 Ashworth Drive and leaving the site through 60 Ashworth Drive. The second passes through the rear of properties on the east side of Ashworth Drive. The waterways merge on 60 Ashworth Drive.
- A minor waterway enters the site at Cross' Road at the boundary of 150 Tyers Road and 240 Cross' Road and flows north east to meet the western designated waterway in Ashworth Drive.
- A ridgeline extends across the northern boundary of the site. Land south of the ridge slopes gently whilst land north of the ridge slopes steeply away into the Latrobe River floodplain approximately 20m below. Good views are available across the floodplain from the ridgeline.
- A local highpoint is situated immediately south of Cross' Road on a spur between the designated waterways.
- With the exception of land north of the ridgeline the majority of the site slopes gently toward waterways at between 2-8%.

The western designated waterway that enters 240 Cross' Road drains stormwater, and at times, sand filter discharge from the adjoining residential development. Prior to the construction of the adjoining residential development,

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the waterway was an open ephemeral drain. At that time the primary source of input was from Stoddarts Abattoir upstream. The waterway was piped under Cross' Road approximately 40 years ago. The waterway has been cleaned out several times in an effort to confine the discharge however, this maintenance ceased 15 years ago. Rainfall in recent years in conjunction with pugging from livestock has left the area immediately north of the piped section prone to flooding.

150 Tyers Road and 240 Cross' Road have been almost entirely cleared of remnant vegetation during historic agricultural use on the land. The exception is a patch of remnant native vegetation in the riparian zone (EVC 53 Swamp Scrub) of the lower reaches of the western waterway, and two remnant River Red Gums in the southern paddock of 240 Cross' Road adjacent to the waterway.

Several plantations have been planted along boundaries, intermediate fence lines and driveways on properties across the site. Scattered native and exotic vegetation has also been planted on several properties typically around buildings.

Access to the site from the adjoining road network is currently from Ashworth Drive which is a public road, and via private driveways to 150 Tyers Road and 240 Cross' Road from Tyers Road and Cross' Road respectively.

A Gippsland Water water treatment plant is located on a 1.7ha property at 110 Cross' Road in the south east corner of the site. A raw water main supplying drinking water to the township of Tyers extends from the treatment plant and traverses the site diagonally to the north east corner. The pipeline is located within a water supply easement (future reserve) that varies in width from 10m and 17m wide across the site.

A Gippsland Water rising sewer main is located across the front of the site in the Cross' Road reserve. Gippsland Water requires land to be set aside for the future duplication of the existing rising sewer main which requires a 6.8m wide strip of land across the front of 150 Tyers Road and 240 Cross' Road.

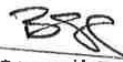
A 66KV electricity line traverses the northern part of the site. It is located within a 12.8m wide electricity transmission easement. A second electricity transmission easement also affects the site and SPAusNet, the relevant authority, has advised this easement is redundant and can be removed.

A major gas pipeline passes close to the north west corner of the Plan area. The Latrobe Planning Scheme shows Schedule 1 to the Design and Development Overlay applied to a 200m wide strip of land along the route of the pipeline. This Overlay extends approximately 55m into the north west corner of the Plan area.

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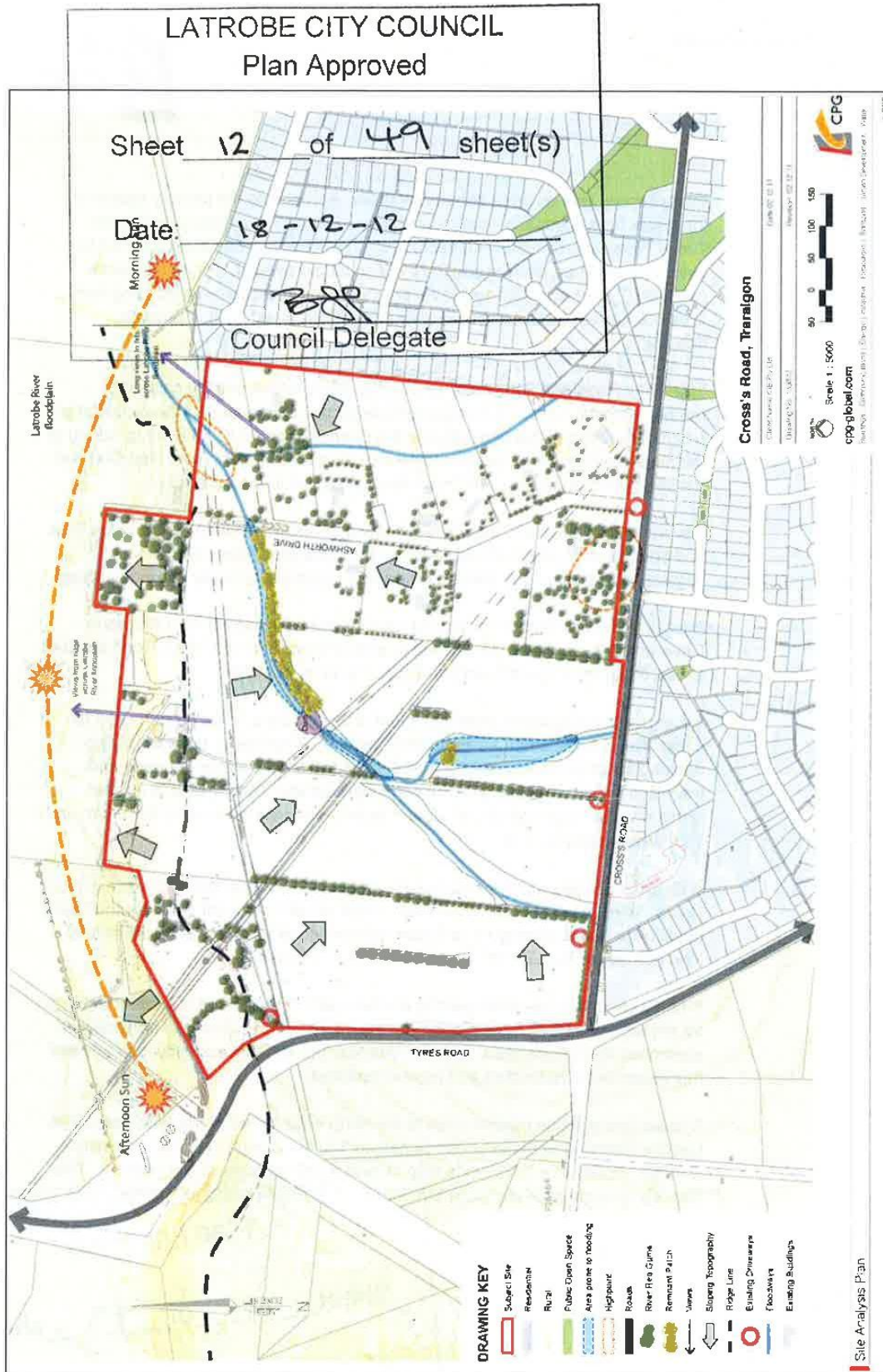


Figure 3: Site Analysis

Cross's Road Traralgon

Cross' Road Traralgon



### 3 Key opportunities and constraints

The subject site features opportunities and constraints that have influenced the design response underpinning the Plan. The key opportunities and constraints are summarised below:

#### 3.1 Opportunities

- Provide a well designed urban expansion that responds to the features of the site and surrounds.
- Provide certainty of development potential for properties encumbered by easements.
- Incorporate easements into the open space network where possible.
- Provide an open space network using drainage lines, easements and local parks.
- Provide a sewerage connection to the site.
- Integrate stormwater management and existing hydraulic and ecological features into the proposed urban environment.
- Deliver a holistic drainage strategy for the site which enhances the condition of downstream properties.
- Provide a permeable and legible movement network throughout the site.
- Provide functional east west connections across the site.
- Provide a limited number of access points onto Cross' Road.
- Use views from the ridgeline across the Latrobe River floodplain.
- Provide a mix of lot sizes on the site.
- Provide larger lots north of the ridgeline on constrained land where the escarpment and slope should be protected and reticulated sewerage is not feasible to deliver.
- Maximise lots which address Cross' Road.
- Preserve existing buildings and the amenity of land owners in Ashworth Drive.
- Set a framework for possible future development of properties in Ashworth Drive.
- Remove the redundant electricity easement.
- Provide an urban layout that enables lots to address Tyers Road (where direct street access from private lots is not allowed).

#### 3.2 Constraints

- Fragmented land holdings in Ashworth Drive.
- Intersection access and direct access to Tyers Road from private lots is not permitted by VicRoads.
- Diagonal alignment of the water main easement (future reserve) traversing the site and inability to construct driveway access to private lots across the water main easement.

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## Cross' Road Traralgon



- Provision of a 6.8m wide strip of land along Cross' Road to accommodate duplication of the existing rising sewer main.
- Electricity easement containing a 66KV power line traversing the northern part of the site.
- Absence of an existing reticulated sewer connection to the site.
- Unsuitability of steeply sloping land on the escarpment for traditional subdivision.
- Inability to provide a gravity fed sewer connection to lots north of the ridge.
- Boggy land prone to flooding immediately north of the piped drainage outfall on 240 Cross' Road.
- Upstream drainage catchments are not retarded or treated before entering the site.
- Protection of potential habitat for Growling Grass Frogs in the dam on 240 Cross' Road.
- Retention of remnant River Red Gums.
- Arbitrary 30 metre buffer distances from designated waterways.
- The location of a designated waterway midway through properties on the east side of Ashworth Drive.
- Water reserve adjoining the site which runs parallel to Cross' Road and restricts direct access to Cross' Road from potential private lots developed on 124 Cross' Road.
- Schedule 1 to the Design and Development Overlay affecting the north west corner of the Plan area

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Council Director

**4 The Plan**

**4.1 Design response**

The design response in Figure 4 demonstrates how the opportunities and constraints of the site inform and influence the design of the new community. This is explained below:

- An open space network is planned around linear corridors along designated waterways intersecting with a continuous green streetscape along the water main easement (future reserve) which terminates on both sides of the site at local parks.
- Two remnant River Red Gums are protected in parkland that is incorporated into the western drainage reserve with additional unencumbered land bolstering the park.
- A local park is located in the south west corner of the site to provide public open space for surrounding residents that are more removed from the central drainage reserve and associated parklands.
- A remnant vegetation patch within the western designated waterway will be enhanced with improvements to the waterway.
- Potential habitat for growling grass frogs located in the dam within the western designated waterway will be enhanced with improvements to the waterway.
- Local parks incorporate land encumbered by easements.
- The water main easement (future reserve) is incorporated into a continuous green streetscape which protects the water pipeline within a 10 metre wide linear park and provides a pedestrian connection from one side of the site to the other.
- As driveways from private lots cannot cross the water main easement (future reserve) modules have been orientated so side fences, not back fences, face the easement.
- An integrated housing site adjoins the south side of the water main easement (future reserve) so future built form can address the linear park within the water main easement.
- Local streets adjoin the open space network on all sides to ensure passive surveillance and activation by dwellings.
- Three connections are provided between 240 Cross' Road and Ashworth Drive to ensure the site develops in an integrated manner over time.
- The 66KV power line has been incorporated into an expanded nature strip within a non-standard access street cross-section.
- The orientation of the street layout seeks to provide logical north south and east west modules whilst responding to site topography to assist with efficient drainage of neighbourhoods.
- The street network has been designed to provide an overland flow path for the minor waterway that enters the site at Cross' Road at the boundary of 150

Cross' Road Traralgon



- Tyers Road and 240 Cross' Road and flows north east to the western designated waterway.
- A gravity fed rising main will be constructed through the site from the existing sewer pump station in the Riverslea Estate along the western designated drainage reserve to provide sewerage servicing.
- With no intersection access or direct access from private lots permitted to Tyers Road internally accessed loops roads are used to ensure lots address Tyers Road.
- Lots have been orientated to front on to Cross' Road.
- A path is be provided within the Cross' Road reserve as required by Council's Bicycle Plan, 2007.
- A path is provided along Tyers Road, north of Cross' Road as required by Council's Bicycle Plan, 2007.
- Land generally north of the ridgeline is designated as large lot subdivision because the ridgeline, slope and future runoff from development should be sensitively managed to ensure buildings are recessive in the landscape and potential pollutants running into the floodplain are minimised.
- Land affected by Schedule 1 to the Design and Development Overlay is designated as large lot subdivision to provide flexibility in locating buildings and structures.
- A road network is proposed for properties in Ashworth Drive that facilitates integrated development if the land is rezoned and land owners choose to develop their properties.
- The proposed road network in Ashworth Drive does not impact existing dwellings.
- A holistic approach, rather than a property by property approach, to drainage has been adopted which provides a single end-of-line wetland facility for treatment of stormwater from the site on the property immediately downstream.
- 30 metre buffers are provided for designated waterways with the exception of the first section of the western designated waterway where a 15 metre is provided.
- Independent access to Ashworth Drive via access places is provided for all properties on the east side of Ashworth Drive to enable independent development by land owners.
- The layout has been designed to satisfy the requirements of Clause 56 in the Latrobe Planning Scheme and in particular building envelopes, solar orientation, public open space, walking and cycling street network, trees and stormwater management,

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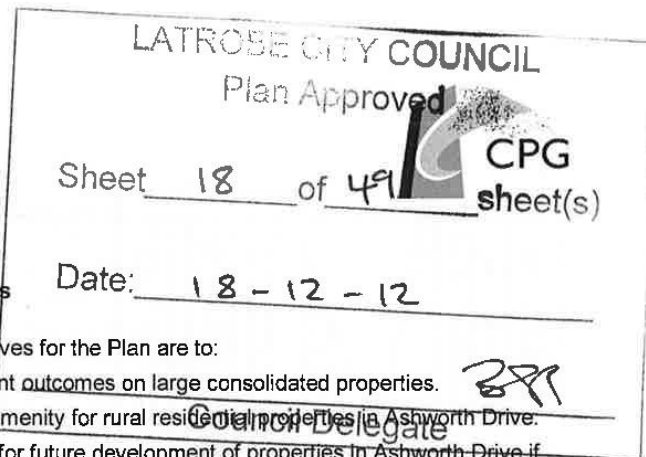
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**4.2 Development objectives**

The development objectives for the Plan are to:

- Maximise development outcomes on large consolidated properties.
- Protect lifestyle and amenity for rural residential properties in Ashworth Drive.
- Provide a framework for future development of properties in Ashworth Drive if the land is rezoned and land owners choose to develop.
- Minimise development costs through logical design.
- Consider title boundaries to ensure sustainable neighbourhood outcomes.
- Consider title boundaries to ensure independent development of large properties.
- Provide for a mix of residential lot sizes which respond to market expectation.
- Use natural features in the design of the neighbourhood.
- Provide high quality open spaces within convenient walking distance of homes.
- Integrate stormwater management and easements into the open space network.
- Create regular modules and lots acknowledging site constraints.
- Provide highly permeable and legible movement through the site.
- Provide a co-ordinated and holistic approach to drainage that benefits the site and downstream land owners.
- Incorporate Crime Prevention Through Environment Design (CPTED) principles in the neighbourhood design.
- Bring critical services to the site including sewer.

**4.3 Overview of the Plan**

The Plan is provided in Figure 5. The key elements of the Plan are detailed in the following sections. The land budget for the Plan is provided in Table 1 and a property specific land budget is provided in Table 2.

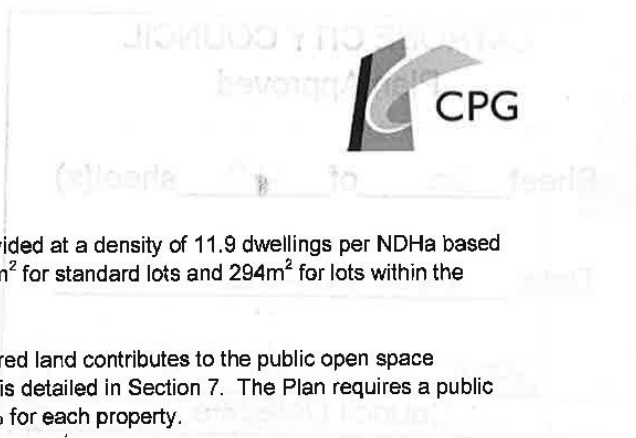
The gross site area is 75.96ha. The Plan provides a Net Developable Area of 64.37ha excluding encumbered land (11.59ha) and unencumbered public open space (1.34ha).

The Plan includes 14.25ha in road reserves including the existing Ashworth Drive road reserve, leaving 48.83ha as Residential Allotment Area. Different lots sizes will be developed across the site including standard and large lots and an integrated housing site.

A total of 677 lots are provided on the site at a density of 10.5 dwellings per Net Developable Hectare (NDHa)<sup>1</sup>. In standard density areas (including integrated

<sup>1</sup> Definition of NDHa from Precinct Structure Planning Guidelines

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housing site) 662 lots are provided at a density of 11.9 dwellings per NDHa based on an average lot size of 625m<sup>2</sup> for standard lots and 294m<sup>2</sup> for lots within the integrated housing site.

Encumbered and unencumbered land contributes to the public open space network across the site. This is detailed in Section 7. The Plan requires a public open space contribution of 5% for each property.

**4.4 Community hubs, meeting place and activity centre**

Traralgon Statistical Local Area has a population of 27,225 and 11,275 households (2006 Census). At full development the site will accommodate approximately 677 dwellings. By assuming an average of 2.41 persons per household consistent with the Traralgon average (2006 Census) the estimated population on the site is 1,632 people.

*Planning for Community Infrastructure in Growth Areas* (Australian Social & Recreational Research Pty Ltd, April 2008) recommends a process for determining community infrastructure needs in new communities. *Table 29 - Analysis of Community Infrastructure Requirements for the Hypothetical Community of Batman North (illustrative purposes only)* is an indicative approach to the threshold numbers required for the provision of community infrastructure.

The report identifies a minimum population threshold for the provision of primary schools, Council community centres, kindergartens and equivalent facilities as 1 per 3,000 households. The proposed lot yield for the site of 677 lots is considerably below the indicative threshold of 3,000 households and therefore no community facilities are proposed to be located on the site.

Figure 3 in the *Latrobe Structure Plans – Traralgon (2007)* designates land within the Plan area as 'future residential'. It also requires a future road connection through land to the west of Ashworth Drive to Cross' Road. The structure plan does not designate a 'possible future neighbourhood activity centre' in the Plan area. Such an activity centre would be the logical location in which to co-locate commercial and community facilities such as retail floor space and a maternal and child health centre. Therefore, no commercial facilities or community facilities are proposed in the Plan.

**4.5 Rural and commercial land uses**

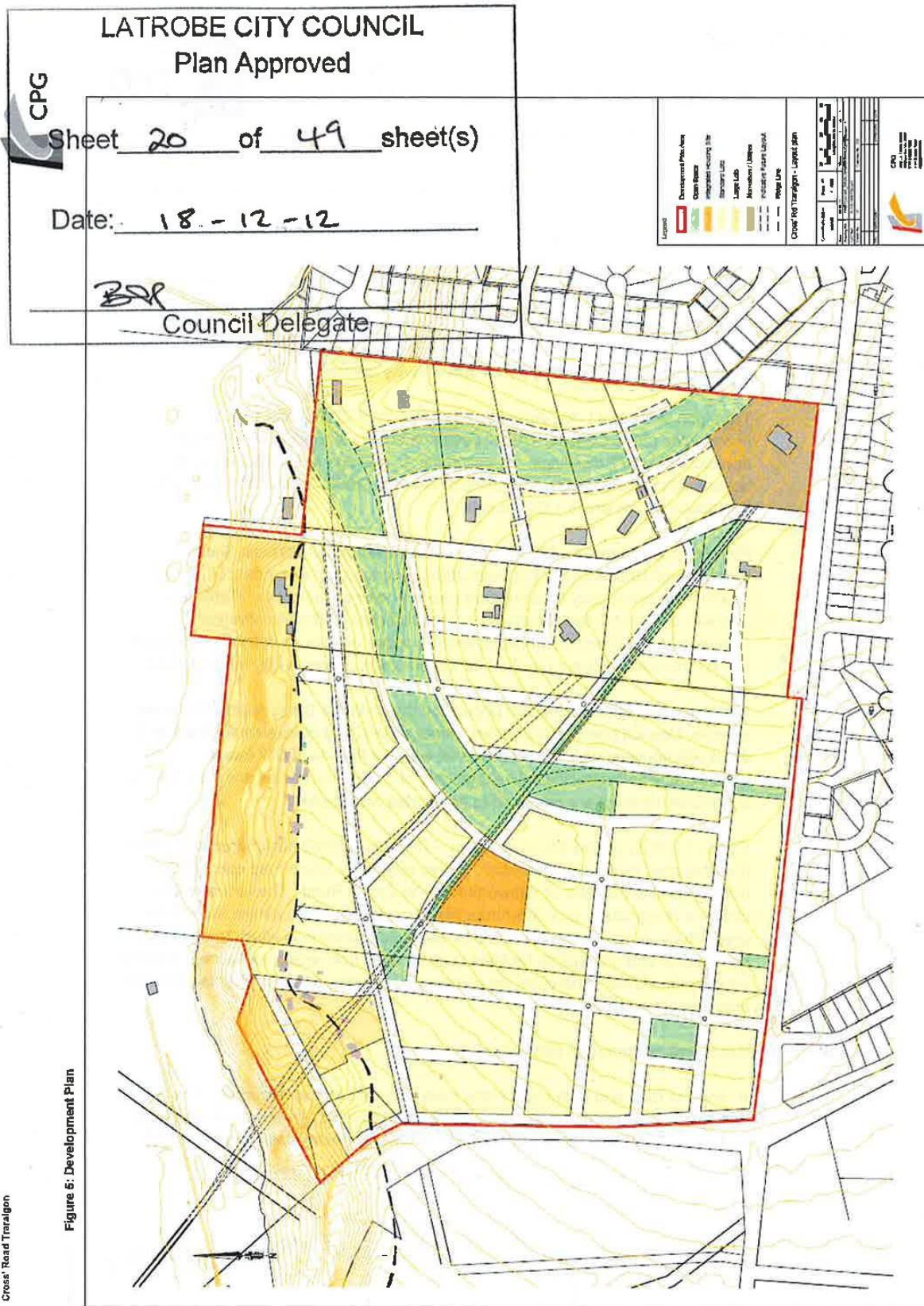
A range of rural and commercial land uses occur within the Plan area. The Plan designates the majority of land for residential subdivision, however existing rural and commercial land uses may continue to lawfully operate within the Plan area.

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Table 1: Land Budget

<b>1</b>	<b>GROSS AREA</b>	<b>75.96</b> Ha	
	240 Cross's Road	31.40	
	150 Tyers Road	15.20	
	Ashworth Drive Properties	29.36	
<b>2</b>	<b>ENCUMBERED LAND</b>	<b>11.59</b> Ha	
	240 Cross's Road Electricity Easement	0.53	
	240 Cross's Road Water Pipe Easement	0.66	
	240 Cross's Road Drainage	2.11	
	240 Cross's Road Cross's Road Widening	0.27	
	150 Tyers Road Electricity Easement	0.27	
	150 Tyers Road Water Pipe Easement	0.52	
	150 Tyers Road Cross's Road Widening	0.11	
	Ashworth Drive Electricity Easement	0.47	
	Ashworth Drive Water Pipe Easement	0.33	
	Ashworth Drive Drainage	4.58	
	Ashworth Drive Utilities	1.73	
<b>3</b>	<b>NET DEVELOPABLE AREA (NDA)</b>	<b>64.37</b> Ha	
	240 Cross's Road	27.83	
	150 Tyers Road	14.29	
	Ashworth Drive	22.25	
<b>4</b>	<b>OPEN SPACE</b>	<b>1.30</b> Ha	<b>2.0</b> % NDA
	240 Cross's Road	0.76	2.7
	150 Tyers Road	0.38	2.7
	Ashworth Drive	0.15	0.7
<b>5</b>	<b>ROAD RESERVE AREA</b>	<b>14.25</b> Ha	<b>22.1</b> % NDA
	240 Cross's Road	5.65	
	150 Tyers Road	3.71	
	Ashworth Drive Properties	4.89	
<b>6</b>	<b>RESIDENTIAL ALLOTMENT AREA</b>	<b>48.83</b> Ha	
	240 Cross's Road Standard	15.99	
	240 Cross's Road Large	4.53	
	240 Cross's Road Integrated	0.90	
	150 Tyers Road Standard	8.21	
	150 Tyers Road Large	1.99	
	Ashworth Drive Standard	15.22	
	Ashworth Drive Large	1.98	
<b>7</b>	<b>LOT YIELD</b>	<b>677</b> TOTAL	<b>Size m2</b>
	240 Cross's Road Standard	256	625
	240 Cross's Road Large	5	10000
	240 Cross's Road Integrated	31	294
	150 Tyers Road Standard	131	625
	150 Tyers Road Large	8	2500
	Ashworth Drive Standard	244	625
	Ashworth Drive Large	2	10000

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**Disclaimer**

- A. Areas and yields of lots and roads are approximate only.
- B. A site visit has been undertaken before the preparation of this land budget.
- C. Areas are in hectares unless otherwise stated.
- D. Lot layout, open space allocation and road classification are indicative only and subject to Council approval.
- E. Road linkages to adjoining lands are based on preliminary discussions and are subject to approval from the land owners
- F. A drainage strategy has been prepared and the plan provides sufficient area for stormwater purposes.
- G. Encumbered land in Ashworth Drive Properties are estimates only, due to feature survey not being available.





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Table 2: Property Specific Land Budget

	Gross Area (ha)	Encumbered (ha) Electricity	Encumbered (ha) Water	Encumbered (ha) Drainage	Encumbered (ha) Road widening	Net Developable (ha)	Open Space (ha)	%	Net Residential (ha)
240 Cross's Road	31.40	0.53	0.66	2.11	0.27	27.83	0.76	2.7%	27.07
150 Tyers Road	15.20	0.27	0.52	0	0.11	14.30	0.38	2.7%	13.91
Ashworth Drive 1	3.08	0	0.10	0	0	2.98	0.15	5.0%	2.83
Ashworth Drive 2	2.11	0	0.20	0	0	1.91	0.07	3.4%	1.84
Ashworth Drive 3	2.02	0	0	0	0	2.02	0	0	2.02
Ashworth Drive 4	1.98	0	0	0.26	0	1.71	0	0	1.71
Ashworth Drive 5	1.98	0	0	0.87	0	1.08	0	0	1.08
Ashworth Drive 6	1.98	0	0	0	0	1.98	0	0	1.98
Ashworth Drive 7	2.09	0.26	0	0.66	0	0.98	0	0	0.98
Ashworth Drive 8	2.09	0	0	0.47	0	1.63	0	0	1.63
Ashworth Drive 9	2.09	0	0	0.48	0	1.61	0	0	1.61
Ashworth Drive 10	2.11	0	0	0.46	0	1.63	0	0	1.63
Ashworth Drive 11	2.00	0	0	0.45	0	1.55	0	0	1.55
Ashworth Drive 12	2.00	0	0	0.58	0	1.42	0	0	1.42
Ashworth Drive 13 (Milly also)	2.00	0	1.7	0.27	0	1.73	0	0	N/A
Existing Ashworth Drive Road Reserve	1.80	0.03	0.03	0	0	N/A	0	0	N/A
<b>Total</b>	<b>75.95</b>	<b>1.34</b>	<b>3.24</b>	<b>6.63</b>	<b>0.38</b>	<b>64.35</b>	<b>1.36</b>		<b>61.97</b>

Disclaimer  
 A. Areas and yields of lot and made, are approximate only.  
 B. The land budget has been prepared for preliminary feasibility purposes and the following information was not available:  
 - Contamination assessment.  
 C. Preliminary storm water and flood assessment has been undertaken. Retaining basins have been provided for on the plan, however these will be subject to further detailed studies.  
 D. A title plan has been undertaken before the preparation of this land budget.  
 E. Areas are in hectares unless otherwise stated.  
 F. Road widths are based on preliminary road calculations and are subject to approval from the land owners.  
 G. Road layout to adjoining lots are based on preliminary discussions and are subject to approval from the land owners.



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The Plan aims to provide a variety of housing types and lots types to meet the Traralgon market demands. The Plan provides a higher proportion of larger standard residential lots that maintain the sense of openness, and respond to landform and landscape cues valued by the community.

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5 **Housing**

The Plan aims to provide a variety of housing types and lots types to meet the Traralgon market demands. The Plan provides a higher proportion of larger standard residential lots that maintain the sense of openness, and respond to landform and landscape cues valued by the community.

A total of 677 lots are provided on the site. Assuming average household size of 2.41 persons the site will be home to approximately 1,632 people when fully developed.

A breakdown of lot yield is provided in Table 3.

**Table 3: Lot yield by type**

Lot Type	Lot Size	Total Lots
Standard density	625m <sup>2</sup>	631
Integrated housing site	294 m <sup>2</sup>	31
Large lot	10,000m <sup>2</sup>	15

The density in standard lots areas including the integrated housing site is 11.9 dwellings per NDHa assuming an average lot size of 625m<sup>2</sup> and 294m<sup>2</sup> respectively.

**5.1 Large lot residential**

Large lot residential averaging 10,000m<sup>2</sup> is proposed north of and adjacent to the ridgeline in the northern part of the site on 240 Cross' Road and 75 Ashworth Drive. Large lots are suited to this location because standard lot sizes on the escarpment would erode the integrity of the slope and increase potential pollutant flow into the floodplain. Buildings located on the slope and ridgeline would also create undesirable visual and landscape amenity impacts.

In terms of servicing this area, there is restricted access to the proposed gravity sewer system south of the ridgeline. An additional sewer pump station would be required to pump sewerage over the ridge into the proposed system which is not considered cost effective given the Plan area will need to fund a new sewer pump station. It is likely larger lots will require septic tanks however a land capability assessment should be undertaken with any planning permit application to ensure these are appropriate to the land.

On 150 Tyers Road larger lots down to 2,500m<sup>2</sup> are provided subject to Gippsland Water's approval of Low Pressure Pump Systems (LLPS). These systems are installed where a gravity fed sewer system cannot be provided due to grade restrictions. A LLPS will connect to the reticulated sewer system constructed to service standard lots south of the ridgeline.

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Subject to appropriate servicing, the provision of larger lots supports a transition from the urban to rural landscape within the northern part of the site and presents an opportunity for larger lots to be significantly revegetated so that buildings are recessive in the landscape when viewed from surrounding rural land and the slope is stabilised.

#### 5.2 Affordable housing

Opportunities to deliver affordable housing should be considered at planning permit stage in consultations between land owners, developers, Council and Department of Housing.

#### 5.3 124 Cross' Road

The existing dwelling and outbuildings at 124 Cross' Road may have heritage value and the significance of these should be further investigated as part of a planning permit application. The site is suitable for community uses and such activities should be encouraged in future use, management and development of the site.

#### 5.4 Development guidelines

- Standard density areas should achieve an average density of 11.9 dwellings per NDHa.
- Dwellings in the Integrated Housing Site should achieve a minimum average lot size of 294m<sup>2</sup>.
- Design of the Integrated Housing Site should ensure dwellings address the green streetscape within the water main easement (future reserve). Specifically, fencing along the green streetscape should be semi-transparent.
- Applications to subdivide land affected by Schedule 1 to the Design and Development Overlay should have regard to the relevant provisions in the planning scheme.
- Investigate the heritage significance of the dwellings and outbuildings at 124 Cross' Road as part of a planning permit application.
- The ultimate configuration of access to large lots north of the ridge and standard density lots north of the east west access street along the electricity easement on 240 Cross' Road should be investigated at planning permit stage.
- Design guidelines should be prepared to guide subdivision and development of land on 240 Cross' Road adjoining the western boundary of the drainage reserve south of the local park protecting remnant native vegetation. Guidelines should be registered as a restriction on title for this land and ensure:

- o Dwellings do not present "back fences" to the drainage reserve.

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- Dwellings positively address the drainage reserve to the east and access place to the west.
- Building setbacks and design, garaging, fencing and landscaping are appropriate to activate both frontages of new lots created.

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LATROBE CITY COUNCIL Plan Approved Sheet 26 of 49 sheets		<b>Integrated stormwater management</b>  A drainage strategy has been prepared by CPG to inform the stormwater quantity and quality controls required to service development of the site. The strategy is located in Attachment 1.
	Date: 18-12-12	The strategy has been prepared in consultation with West Gippsland Catchment Management Authority (CMA) and Council. The CMA and Council have approved the drainage strategy. Details of the tenure and maintenance of the downstream wetland will be resolved by Council with relevant land owners prior to construction of the facility.  The subject site is characterised by the following key water management issues: <ul style="list-style-type: none"> <li>- Two designated waterways;</li> <li>- 150 Tyers Road drains into 240 Cross' Road along with Ashworth Drive properties due to the topographical characteristics;</li> <li>- Wetland delivery on Lot 2 on PS 424148C downstream of the site;</li> <li>- Management and maintenance of the wetland;</li> <li>- Cost for land owners of 150 Tyers Road to connect to 240 Cross' Road drainage reserve; and,</li> <li>- Management and transfer of upstream flows through the site.</li> </ul>

The options for stormwater management include:

- a) On-site treatment for each property (150 Tyers Road, 240 Cross' Road and Ashworth Drive properties).
- b) On site end of line treatment.
- c) Holistic treatment for the entire Development Plan area downstream and offsite.
- d) Additional treatment of upstream catchments.

The drainage strategy recommends *Option c)* as the preferred option.

#### 6.1 Stormwater conveyance and treatment

The drainage strategy is a holistic response which takes into consideration the 434ha catchment which outfalls to the Latrobe River floodplain, of which the Plan area contributes approximately 76ha.

The strategy addresses stormwater conveyance and treatment. The strategy assumes no retardation of developed flows, water quality treatment and waterway corridor link being provided within the flood plain outside the Plan area.

Modelling undertaken to inform the drainage strategy shows the vast majority of stormwater to be conveyed through 240 Cross' Road and in turn through 45, 60

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and 65 Ashworth Drive is generated in the existing urban areas upstream of the Plan area, south of Cross' Road. Additional stormwater produced by the subdivision of 240 Cross' Road and 150 Tyers Road will be minimal by comparison and the strategy recommends against the provision of on-site retardation on 240 Cross' Road. Development of retardation on 240 Cross' Road will extend the period of stormwater flows through 45, 60 and 65 Ashworth Drive which is not considered desirable.

As shown in Figure 6 the drainage strategy consists of:


- Underground stormwater drainage with associated overland flow paths via road reservation for minor catchments.
- A 15 metre drainage reserve and road reservation with under ground drainage within 240 Cross' Road between Cross' Road and water main easement (future reserve) to allow for stormwater conveyance upstream of Cross' Road (Figure 7, Section B).
- 60 metre drainage reservations on 240 Cross' Road and in Ashworth Drive to protect the existing designated waterways (Figure 7, Section A).
- A sediment basin and wetland system external to the site in the flood plain on Lot 2 on PS 424148C downstream of the site.
- A 20 metre drainage reserve connecting the site to the existing St Paul's wetland.
- Minor alterations to the existing St Paul's wetland.

The drainage strategy requires 6.69ha of land on the site for drainage purposes.

As development of 240 Cross' Road occurs stormwater will be conveyed through 45, 60 and 65 Ashworth Drive. The existing drainage channels through these properties perform well during normal and higher flow events and will continue to do so once upstream land is fully developed. It is recommended that disturbance of these drainage channels is avoided as this can lead to erosion.

Figure 6 shows a section of land for drainage purposes traversing land at 110 Cross' Road owned by Gippsland Water. An existing easement for drainage purposes in favour of Council (as drainage authority) is in place and shown on Lot 13 in LP126409. Council and Gippsland Water have agreed this land will not be set aside in a reserve or vested in Council.

Properties on the east side of Ashworth Drive are periodically impacted by stormwater flows from upstream catchments, generally south of Cross' Road. Council will work with land owners to reduce the impact on these properties during and after rainfall events.

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**6.2 Development guidelines**

- Drainage reserves as shown on the Plan should be shown on planning permit applications.
- Drainage reserves should be transferred to Council as responsible authority at subdivision stage.
- Land required to accommodate a wetland on Lot 2 on PS 424148C should be within a reserve vested to Council to the satisfaction of Council.
- A Waterway Management Plan is required to demonstrate the protection of waterways and minimise maintenance.





Figure 6: Drainage Strategy

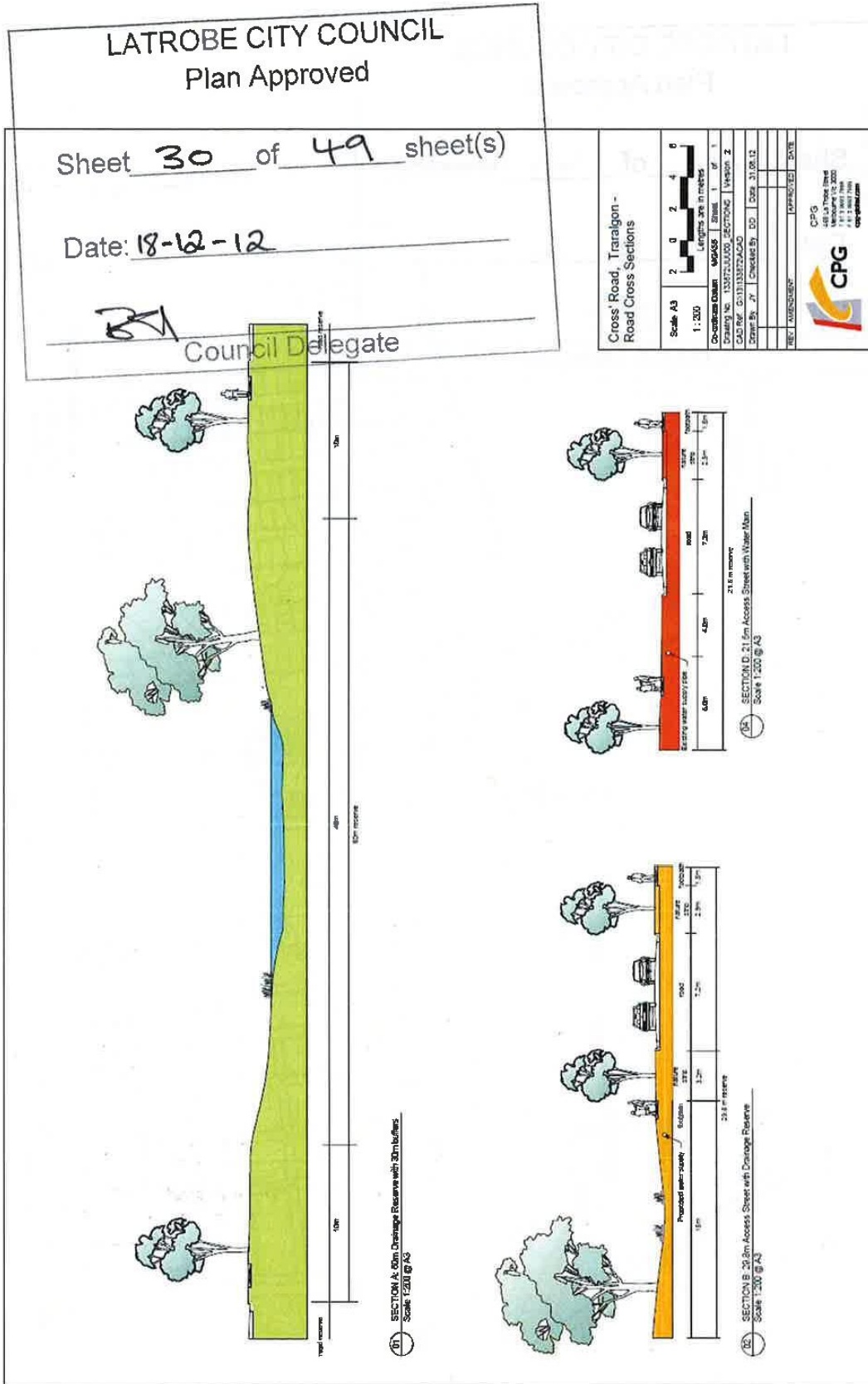
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Figure 7: Drainage and road cross sections (Note: Section D below relates to Section 9 and Figure 8)



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**7 Open Space**

The site has strong natural and man-made features which have determined the configuration of the open space network for the site shown in Figure 8. These include:

- Designated drainage lines
- Water main easement (future reserve)
- Remnant River Red Gum trees
- Locations where water main easement and electricity easement converge

Within in the open space network, continuous open spaces are proposed along drainage lines and two local parks in the north west and south east of the site. An expanded green streetscape is proposed along the water main easement (future reserve), containing a linear trail with a shared path connecting local parks on each side of the proposed community (Figure 7, Section D). A green link path is provided within all sections of the open space network.

A further local park is provided in the south west corner of the Plan area where homes are not within 500m walking distance of the open space network. With this park, all homes are within 500m walking distance of public open space.

Figure 8 nominates five open spaces nodes across the Plan area within the open space network. These nodes provide a suitable location for community facilities such as playgrounds, barbeques, shelters and seating.

Public open spaces are adjoined by local streets to activate the spaces and provide passive surveillance. The exception is along the southern boundary of the water main easement (future reserve) where driveways are not permitted to cross the water main pipe. Here, semi-transparent boundary fences will adjoin the green streetscape. To manage a section of this interface an integrated housing site is proposed on 240 Cross' Road.

Gippsland Water has confirmed the raw water main within the expanded green streetscape will be duplicated in the future, and the 10m wide easement (future reserve) shown in Figure 7, Section D is sufficient for the existing and duplicated asset.


**7.1 Open space contribution**

At subdivision stage each property is required to provide a public open space contribution of 5%. The contribution can be made as land or cash or a combination of land and cash. The open space network is shown in Figures 7 and 8 and planning permits should set aside land as public open space generally in accordance with the plans.

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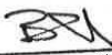
Table 2 provides a property specific land budget for all properties in the site. It shows the public open space contribution to be set aside as land on each property. Where the land contribution is less than 5% a cash contribution for the balance amount up to 5% must be paid to Council at subdivision stage.

Cash contributions collected by Council will be used to embellish public open spaces in accordance with Council's funding priorities as outlined in Council's Open Space Strategy.

The open space network includes encumbered and unencumbered land. Council will not credit encumbered land towards the 5% public open space contribution.

## 7.2 Development guidelines

- Any variation to the provision of public open space must be approved by, and is at the discretion of, Council having regard to the objective of the Plan.
- All parks and drainage reserves must be transferred to Council at subdivision stage.
- Fencing around the perimeter of open spaces should be discouraged to maximise surveillance of spaces.
- Where private lots adjoin public open spaces and drainage reserves boundary fencing should be semi-transparent to encourage surveillance of public spaces and interaction between private and public areas.

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## 8 Biodiversity and Landscape

An ecological assessment was undertaken by CPG to inform the Plan. The report is located in Attachment 2.

### 8.1 Flora

The key findings are described below.

- It is unlikely the site contains significant habitat for threatened species due to intensive historic land uses (heavily grazed and fertilized), high density of weeds (pasture grasses) and the level of soil disturbance caused by cattle grazing.
- Native vegetation associated with Wades Creek, below the dam on 240 Cross' Road, is a remnant patch of native vegetation despite its low species richness, low floristic and structural diversity and high density of weeds.
- Two scattered trees (River Red Gums) were recorded within the site.
- The vegetation prior to settlement was EVC 53 – Swamp Scrub. However, the historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 - Swamp Scrub on the site is now extinct and has been replaced by a relatively new community of exotic plants.
- Under the Native Vegetation Framework, the West Gippsland Vegetation Plan and the Latrobe Planning Scheme the site is a disturbed area, and as such, the principles of net gain are not applicable.

Recommendations of the assessment include:

- The conservation values of the remnant Swamp Scrub below the dam could be greatly improved by supplementary revegetation and intensive weed control.
- The removal of the low lying, shallow saturated area in 240 Cross' Road immediately north of the piped drainage outfall under Cross' Road is not considered to significantly reduce the biodiversity values of the site particularly if it is replaced by an on site stormwater management system.
- The incorporation of the waterway and Wades Creek into such a water treatment facility which includes extensive revegetation would greatly improve the contribution the site makes to sustainable biodiversity conservation.

The alignment of a potential north south access street in the north east corner of 240 Cross' Road is shown crossing the western drainage reserve which includes an area of emergent EVC 53 – Swamp Scrub along the existing waterway. The potential suitability of the alignment of the access street in this location should be examined in the planning permit stage in consultation between Council, DSE and the permit applicant.

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## 8.2 Fauna

The key findings are described below.

- The assessment identified it is unlikely the subject land contains significant habitat for threatened species. It is noted that the habitat in the dam on 240 Cross' Road may be suited to the breeding of the Growling Grass Frog (GGF). No frogs, other than the Common Froglet (*Crinia signifera*) were heard during the site assessment.
- The assessment also identified that Wades Creek may provide a marginal habitat for Dwarf Galaxias and, further downstream, the Australian Grayling. It is considered the current contribution Wades Creek makes to the sustainable conservation of both species of fish is marginal given the current quality of habitat.

Recommendations of the assessment include:

- An assessment of the waterway on the site for Dwarf Galaxias and Australian Grayling is not considered to be essential however, such an assessment is required by the DPO.
- There is potential for the GGF to utilise the marginal habitat of the dam on 240 Cross' Road. An assessment to determine the presence and significance of the site to the GGF should be carried out (October – November 2011). A survey was conducted in December 2011.

In December 2011 a targeted survey of GGF was undertaken and no GGF were recorded or seen on the site. Consequently it is considered unlikely that they inhabit the site. The water test results also support this conclusion. The report is located in Attachment 3.

## 8.3 Landscape

In addition to the open space network proposed in Section 7 landscape development will be supported by street tree planting as shown in the Concept Landscape Masterplan (Figure 8). A hierarchy of planting will be provided across the site and an indicative planting schedule for street trees, riparian planting areas and open space planting is provided in Attachment 3.

Within the hierarchy, signature planting is proposed along access streets with different plantings schemes proposed along access places and lanes and within public open spaces.

Figure 8 shows five open space nodes within the open space network. Playgrounds and other community recreational infrastructure such as barbeques and shelters are nominated within three of the park nodes in Figure 8. These nodes as well as the drainage reserves are suitable locations for public art and community events.

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Cross' Road Traralgon



#### 8.4 Cultural heritage

An Aboriginal and Historical Heritage Assessment provided in Attachment 4 was undertaken by Ecology and Heritage Partners and informed development of Plan. The assessment included desktop research and site survey. It found no Aboriginal or historical sites on the site.

One Aboriginal place was located in the north east corner of 240 Cross' Road consisting of stone artefacts which triggers the need for a complex Cultural Heritage Management Plan (CHMP). The CHMP should target areas of cultural heritage sensitivity located along the ridgeline of the site.

#### 8.5 Development guidelines

- A landscape masterplan must be submitted with planning permit applications to subdivide land.
- Streetscapes and public open spaces must be planted with species from the planting schedule in Attachment 5.
- Revegetation and intensive weed control in the remnant patch of native vegetation below the dam in the western drainage reserve should be undertaken to improve conservation values.
- A CHMP should be prepared for 240 Cross' Road targeting land along the northern ridgeline.
- A management plan should be provided in the event that Growling Grass Frog or Dwarf Galaxias are detected on site following commencement of works.





Cross' Road Traralgon



**9 Access and movement**

The movement network is planned around paths in the open space network and a distorted grid street network to provide legible connections in a highly permeable street network within the site. Figure 9 shows the street hierarchy and internal and external active path network.

**9.1 Pedestrian pathways**

Figure 9 shows shared paths through the open space network including a shared path within the green streetscape of the water main street. Off road paths within drainage reserves should be constructed on both sides of the waterway.

A footpath is provided on the north side of Cross' Road and will be accommodated within a widening of the existing road reserve. A footpath is also provided within the existing Tyers Road reservation.

**9.2 Public transport**

Public transport in Traralgon is provided by Latrobe Valley Buslines. There are currently eight designated bus routes of which Route 1 Rangeview and Route 2 Freeman Park serve the north west of Traralgon. Neither of these routes travels near the site or along Cross' Road.

Consultation with the DOT and busline should be held to investigate an extension of service area to cater for residents on the site and in the adjoining Riverslea Estate and along Cross' Road. A potential bus route and indicative locations for bus stops are shown on the site in Figure 9.

The proposed street network has considered the potential for a future bus network through the site. Specifically, the access streets have been designed to allow for east to west bus travel through the site, in walkable proximity to most future residential lots.

**9.3 Cross' Road widening**

According with the requirements of Gippsland Water and Council, the reservation accommodating Cross' Road will be widened by 6.8m to accommodate:

- Appropriate offsets from the existing rising sewer main in the verge.
- Appropriate offsets from a future duplication of the rising sewer main,
- Appropriate offsets from new services required by future subdivision.
- A standard connector street cross section including parallel parking and street trees.


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Cross' Road Traralgon



**9.4 Traffic volumes and intersections**

A traffic impact assessment for the Plan has been prepared by SMEC and is located in Attachment 6. The assessment has been undertaken to determine the:

- Impact of development on adjoining streets/roads
- Intersection locations and treatments
- Internal road hierarchy

VicRoads advised that no access can be provided from the site to Tyers Rd. This requires all access to the site to come from Cross' Road. A street hierarchy has been established where the three connections into the site from Cross' Road are designated as access streets. The layout provides two key east-west routes within the site that integrate across the precinct.

Full development of the site will generate approximately 5,800 vehicle trips per day. The assessment shows:

- Impact of additional trips on the capacity of Cross' Road and Tyers Road is acceptable.
- Location of proposed access points onto Cross' Rd are suitable.
- Each of the three intersections on to Cross' Road should provide an auxiliary left turn and channelized right turn treatment.
- The Cross' Road reserve width needs localised widening by 2.4m to accommodate the proposed intersection treatments into 150 Tyers Road and 240 Cross' Road.

In summary, the layout, road hierarchy and intersection treatments to adjoining roads are considered acceptable.

**9.5 East side of Ashworth Drive**

Properties on the east side of Ashworth Drive are provided with independent access to Ashworth Drive via access places to enable development of their properties without reliance on other land owners.

**9.6 Development guidelines**

- Cross sections for the road types proposed in the road hierarchy for the site are to comply with Latrobe City Council requirements:

- o Connector Street, 20m
- o Access Street, 16-18m
- o Access Place, 16m
- o Access Lane, 3-8m

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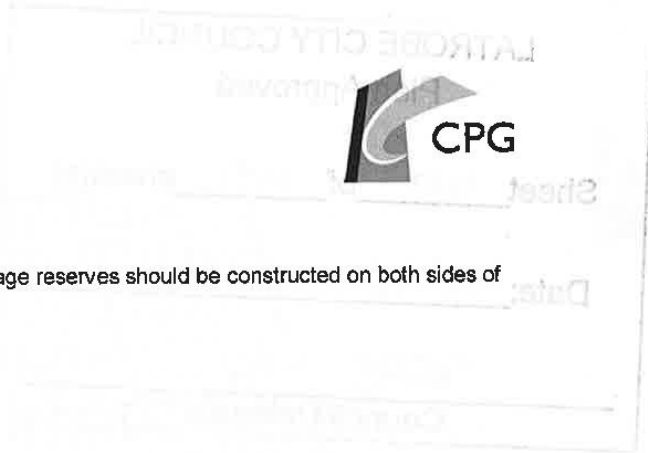
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- Off road paths within drainage reserves should be constructed on both sides of the waterways.

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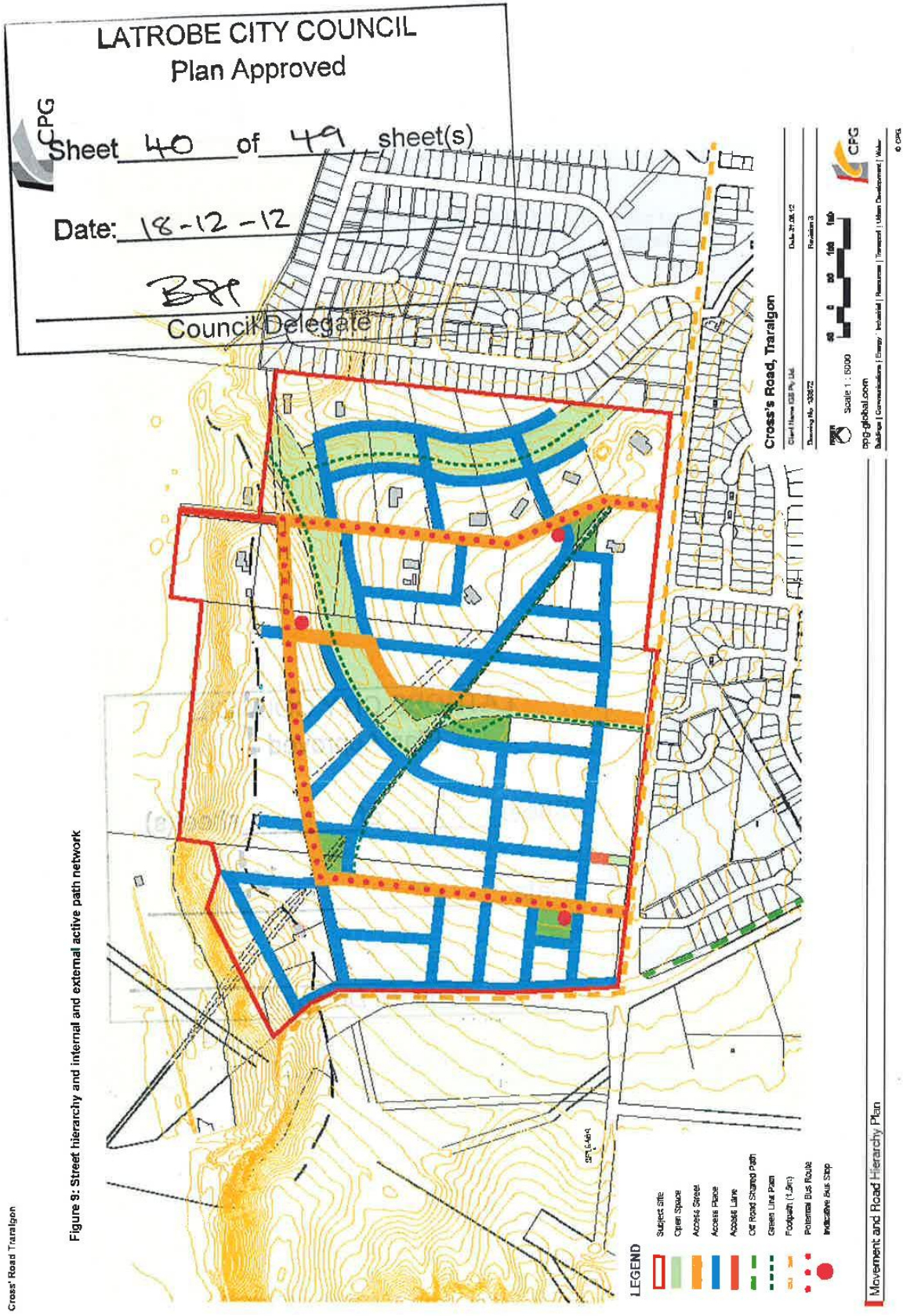


Figure 9: Street hierarchy and internal and external active path network

Cross's Road, Traralgon

Cross' Road Traralgon



## 10 Infrastructure Services and Development Staging

### 10.1 Sewer

Land in Ashworth Drive requires rezoning to Residential 1 zone before conventional subdivision can occur. Land at 240 Cross' Road and 150 Tyers Road areas is zoned for subdivision and requires a sewer connection through Ashworth Drive properties to service new development.

It is proposed that a gravity fed sewer will be brought to the site from the existing network to the east of the site. Recommendations identified in Gippsland Water's review of the Traralgon sewer network are also to be considered once final.

There are two principal options:

- a) Upgrade the existing sewer pump station in Riverslea Estate with gravity sewer to site; or
- b) Construct a new sewer pump station with gravity sewer and rising main.

The preferred option is *Option b*).


The rising main to 240 Cross' Road and 150 Tyers Road will be constructed along the low point in the western waterway through three properties in Ashworth Drive. Consent will be required from the affected land owners. The provisional route for the rising main is shown in the Shared Infrastructure Plan in Figure 10. It will connect to two existing sewer pump stations on the south side of Cross' Road.

The rising main will be a shared sewer to service the entire site and it will service land in Ashworth Drive if and when that is rezoned. Until such a time, the delivery of the rising main will be co-ordinated by the land owners of 150 Tyers Road and 240 Cross' Road. The staging of access to the rising main for each of these properties will be agreed between land owners.

### 10.2 Sewer on large lots

Due to the steep slope on land north of the ridgeline designated as "large lot" on 240 Cross' Road and 75 Ashworth Drive it is not feasible to provide reticulated sewerage to this part of the site. In addition, this part of 240 Cross' Road will continue to operate as a dairying property for the foreseeable future. All land south of the ridgeline, designated as standard lots, will have access to reticulated sewerage. Therefore it is not considered necessary for a land capability assessment to be undertaken on this part of the site.

The Plan requires all large lots on 240 Cross' Road and 75 Ashworth Drive to have a minimum area of 10,000m<sup>2</sup> and require a land capability assessment with a planning permit application consistent with the EPA Code of Practice - Onsite Wastewater Management.

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The Plan also shows large lots on land generally north of the ridgeline on 150 Tyers Road with an average size of 2,500m<sup>2</sup>. The size of these lots is not likely to be sufficient to sustainably treat and contain all wastewater on site as above. Therefore the developer will be required to use low pressure pump systems on large lots on 150 Tyers Road to connect these lots to the reticulated sewerage system to be built south of the ridgeline on the property. This will negate the need for on-site treatment of wastewater and also the need for a land capability assessment.

The suitability of low pressure pump systems will be assessed by Gippsland Water during the planning permit application process. In the event that use of a low pressure pump system is not supported and land designated as large lots on 150 Tyers Road cannot be connected to reticulated sewer, subdivision of this land will be required to provide lots with a minimum area determined by a land capability assessment prepared to the satisfaction of the EPA and Council.

**10.3 Drainage**

As described in Section 6, an integrated stormwater management strategy is proposed for the entire site. Development of 240 Cross' Road and 150 Tyers Road requires conveyance of stormwater through three properties in Ashworth Drive. The extent of stormwater to be conveyed through these properties does not warrant on-site retardation.

The eastern and western drainage reserves will be shared infrastructure servicing multiple properties within the site. Each drainage reserve can be built progressively to the satisfaction of Council, and their delivery will be co-ordinated by the land owners of the corresponding catchments.

The treatment of stormwater from the entire site will occur downstream in a wetland to be constructed on Lot 2 in PS424148C. Prior to construction of the wetland, interim stormwater treatment works should be constructed on-site to the satisfaction of Council.

**10.4 Electricity, gas and telecoms**

These services are available adjacent to the site and connections will be provided with the initial stage of development.

SP AusNet has advised that the existing 66KV electricity line traversing the northern part of the site must be retained within an easement. The Plan proposes to retain the electricity line within an expanded nature strip in a road reserve. SP AusNet advised that the easement may be entirely within the future road reserve or may partially overlap private lots adjacent to the road reserve.

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**10.5 Development staging**

Properties in Ashworth Drive require rezoning to Residential 1 Zone to enable conventional subdivision, therefore initial development of the site will occur on 240 Cross' Road and 150 Tyers Road.

Given the route of the rising sewer main along the western drainage reserve, 240 Cross' Road will be serviced by sewer before 150 Tyers Road. The initial development front is likely to be on Cross' Road in the south east corner of 240 Cross' Road. The development front is likely to progress west along Cross' Road towards Tyers Road as the western leg of the rising sewer main is developed.

Development staging is not fixed and development of land in the south west corner of the site can be brought forward with early delivery of the western leg of the rising sewer main and shared drainage infrastructure. The delivery of shared sewer and drainage infrastructure will be mutually agreed between land owners.

**10.6 Infrastructure requirements**

Development will require a range of infrastructure projects to be delivered in the Plan area. An outline of these projects is provided in Table 5.

**Table 5: Infrastructure projects**

Project	Timing	Responsibility
Cross' Road widening (land and urbanisation of rural verge)	Subdivision stage	Land owners to vest land for widening in Council in Plans of Subdivision and construct kerb and channel
Temporary stormwater treatment	Required on a staged basis prior to a Statement of Compliance for each stage	Land owners
Footpath between Rostrevor Close and Wirilda Crescent on south side of Cross' Road	At Council's discretion	Council
Footpath on north side of Cross' Road adjacent to Plan area	Required on a staged basis for stages with frontage to Cross' Road prior to a Statement of Compliance for each stage	Land owners

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Intersections into 150 Tyers Road and 240 Cross' Road	Required on a staged basis for stages containing intersections with Cross' Road prior to a Statement of Compliance for each stage	Land owners
Drainage reserves with paths on both sides of waterways	In accordance with a site stormwater management plan to the satisfaction of Council	Land owners
Rising sewer main	As agreed between land owners in cost sharing agreement	Land owners

Have regard to additional stormwater likely to be generated by development of land in the Plan area and in existing upstream catchments, temporary retardation of stormwater on lots on the east side of Ashworth Drive is not recommended as discussed in Section 6.1.

The Traffic Impact Assessment (Appendix 6) does not recommend an upgrade to the Intersection of Tyers Road and Cross' Road as a result of additional traffic generated by development in the Plan area.

#### 10.7 Development guidelines

- All lots within the Plan area, unless greater than 10,000m<sup>2</sup> in area, must be connected to reticulated sewerage. A planning permit application to subdivide land at 240 Cross' Road and 75 Ashworth Drive into large lots must be accompanied by a land capability assessment to the satisfaction of the EPA and Council.
- Large lots created on 150 Tyers Road must be connected to reticulated sewerage via the use of low pressure pump systems approved by Gippsland Water at the time of a planning permit application. In the event that use of low pressure pump systems is not supported by Gippsland Water and land designated as large lots on 150 Tyers Road cannot be connected to reticulated sewer, subdivision of the land must provide lots with a minimum area determined by a land capability assessment prepared to the satisfaction of the EPA and Council.

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Figure 10: Shared Infrastructure

Cross's Road, Traralgon

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## Cross's Road Development Plan – Implementation Plan

The Implementation Plan has been prepared to facilitate a co-ordinated development of the properties that are zoned residential in support of the approved Cross's Road Development Plan (dated August, 2012) (the 'Development Plan') and is intended to provide a consolidated list of requirements and implementation actions which are necessary to deliver the outcomes of the Development Plan.

This Implementation Plan has been prepared in accordance with Development Plan Overlay Schedule 5 of the Latrobe Planning Scheme and the approved Development Plan. Once endorsed, it is expected that the Implementation Plan will form part of the approved Development Plan and all development occurring within the Cross' Road Precinct (the 'Precinct') must be carried out in accordance with this Plan.

### **Development Sequencing Plan**

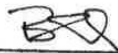
While staging will largely be determined by the development program of landholders, sequencing has been established in the Implementation Plan to reflect the key landholdings in the precinct and allow for co-ordination of key requirements that will enable the vision of the Development Plan to be achieved.

The Implementation Plan (attached) identifies that development will generally occur in three 'Area' phases. Each Area may commence development independently of one another, however delivery of shared infrastructure and zoning will largely determine the logical progression of development through the Precinct. Areas are further broken down into stages to indicate the potential infrastructure progression within each individual area.

### **Implementation Projects and Actions**

Section 10 (Infrastructure Services and Development Staging) of the Development Plan identifies a number of requirements and implementation actions which are required to realise the outcomes of the Plan. These projects and actions are summarised in the Implementation Plan along with specific timing requirements to ensure co-ordinated delivery of projects is achieved.

The Implementation Plan submitted to Council is intended to provide Council with clarity and understanding of how development across the Cross' Road Precinct will be realised. In doing so, the Plan will establish a framework for development sequencing and the provision of efficient and logical infrastructure through the Precinct.

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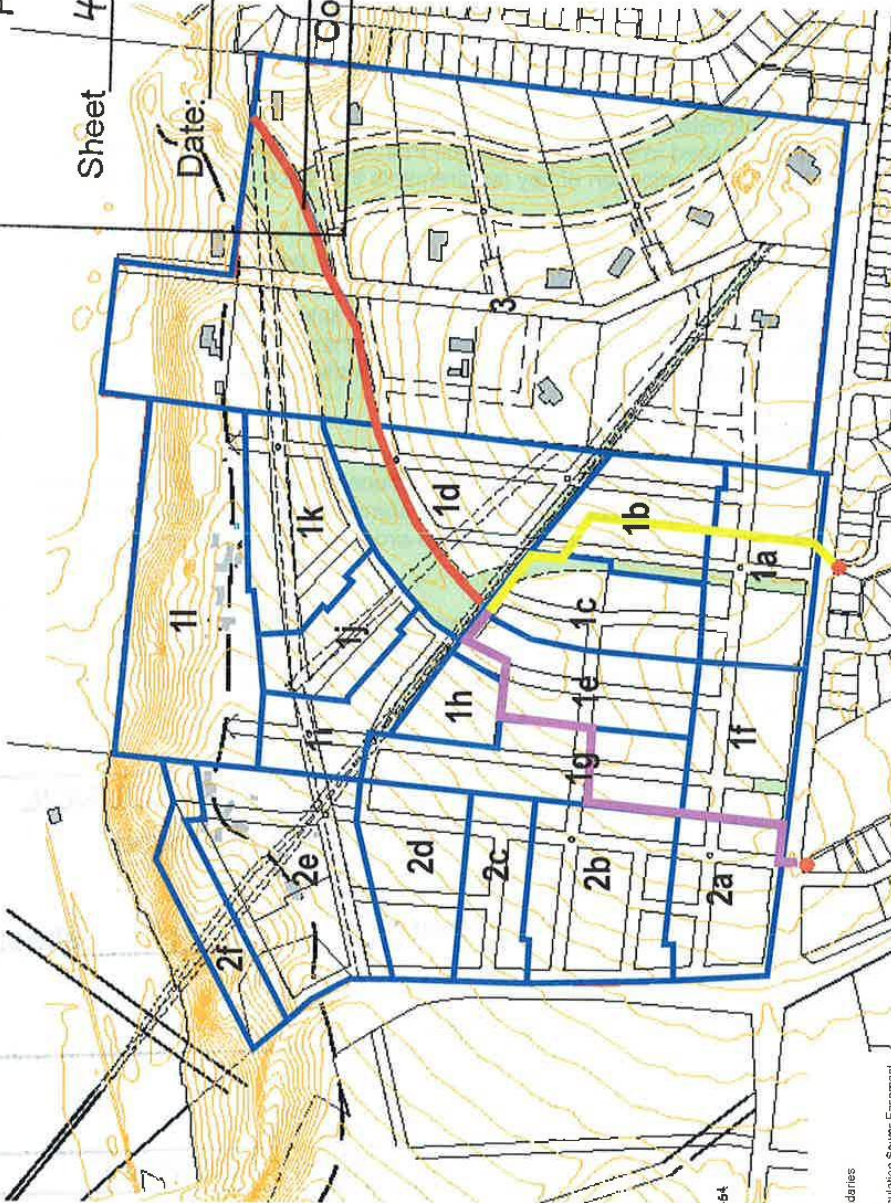


Table - Cross's Road Development Plan Implementation Projects

Implementation	Timing	Implementation	Responsibility
Construction of trunk sewer main	At issue of Use of the subdivision of 200 Cross's Road, Traralgon	Condition on Use of Planning Permit	Relevant land owners
Registration of western reticulation for the stage of the subdivision of 200 Cross's Road, Traralgon to Cross's Road	At issue of bills for the stage of the subdivision of 200 Cross's Road, Traralgon to Cross's Road	Condition on Use of Planning Permit	Relevant land owners
Installation of western reticulation for the stage of the subdivision of 200 Cross's Road, Traralgon to Cross's Road	Prior to issue of the relevant "Statement of Compliance" for areas 1h, 1i and 1j	Condition on Use of Planning Permit	Relevant land owners
Installation of trunk sewer treatment	Prior to issue of a Statement of Compliance for areas 1b, 1c and 1d	Condition on Use of Planning Permit	Relevant land owners
Footpath between Reserve C106 and south side of 21528's Road	At Council's discretion	N/A	Council
Works on north side of road adjacent to Reserve C106	Prior to issue of Statement of Compliance for areas 1b, 1i and 1j	Condition on Use of Planning Permit	Relevant land owners
Intersection r/o 250 Cross's Road	Prior to issue of Statement of Compliance for areas 1a and 1b	Condition on Use of Planning Permit	Relevant land owners
Intersection r/o 150 Tyne Road	Prior to issue of Statement of Compliance for areas 2a	Condition on Use of Planning Permit	Relevant land owners



Implementation Plan  
Cross Road, Traralgon

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Christchurch - Tel 03 378 5100  
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Table – Cross's Road Development Plan Implementation Projects

Requirement	Timing	Implementation	Responsibility
Construction of trunk sewer main	At issue of titles for the first stage of the subdivision of 240 Cross's Road, Traralgon	Condition on planning permit	Relevant land owners
Registration of western reticulation sewer easement connecting 150 Tyers Road, Traralgon to the trunk sewer main	At issue of titles for the first stage of subdivision of 240 Cross's Road, Traralgon	Condition on 240 Cross's Road Planning Permit	Relevant land owners
Cross's Road widening (land and urbanisation of rural verge)	Prior to issue of the <u>relevant</u> Statement of Compliance for areas 1a, 1f and 2a	Condition on planning permit	Land owners to vest land for widening in Council Plans of Subdivision and construct kerb and channel
Temporary stormwater treatment	Required on a staged basis prior to a Statement of Compliance for each area	Condition on planning permit	Relevant land owners
Footpath between Rostrevor Close and Wirilda Crescent on south side of Cross's Road	At Council's discretion	N/A	Council
Footpath on north side of Cross's Road adjacent to Plan area	Prior to issue of the <u>relevant</u> Statement of Compliance for areas 1a, 1f and 2a	Condition on planning permit	Relevant land owners
Intersection into 240 Cross's Road	Prior to issue of Statement of Compliance for areas 1a	Condition on planning permit	Relevant land owners
Intersection into 150 Tyers Road	Prior to issue of Statement of Compliance for areas 2a	Condition on planning permit	Relevant land owners

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**Cross's Road Traralgon**  
Development Plan  
Drainage Strategy

10 November 2011

CPG



**Cross' Road Development Plan**  
Drainage Strategy

**This report has been prepared from the office of CPG**  
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**Acknowledgements and Recognition**

Latrobe City Council  
West Gippsland Catchment Management Authority  
Colin Stockdale (Downstream landowner)

Issue Date	Revision No	Author	Checked	Approved
10/11/2011	A (Draft / Client Review)	John Koehler	Jonathon McLean / Travis Reid	Jonathon McLean

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**Cross' Road Development Plan**  
Drainage Strategy

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**Cross' Road Development Plan**  
Drainage Strategy**1 Introduction**

CPG has been engaged by IGB Pty Ltd to formulate a drainage strategy for the Cross' Road Traralgon Development Plan.

– Figure 1.0 Preliminary Development Plan



The development plan is bound by Cross's Road to the south, Riverslea Estate to the east, Tyers Road to the west and Latrobe River flood plain to the north.

This drainage strategy responds to the development plan area in a holistic manner and considers both conveyance and water quality objectives.

**2 Site Characteristics**

The topography of the site is undulating with grades typically in the order of 1 in 10 to 1 in 100. The site falls generally from south to north.

Two designated waterways traverse the proposed development site on route to the Latrobe River. The subject site is divided into three distinct sub-catchments.



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### 3 Objectives

The Development Plan has been based upon WSUD principles and the stormwater management strategy has considered the two main issues and impacts relating to:

- Stormwater quantity
- Stormwater quality

#### 3.1 Methodology

The drainage strategy was formulated by undertaking the following work:

- Desktop catchment analysis based on GIS and contour information supplied by Latrobe City Council.
- Site Visit (conducted during a rainfall event, to confirm desktop catchment analysis).
- Creation of a hydrologic model (a RORB model calibrated to Rational Flows)
- Creation of a hydraulic model (HECRAS)
- Creation of a stormwater quality model (MUSIC)
- Meetings and discussions with various stakeholders (eg Latrobe City Council (LCC), West Gippsland Catchment Management Authority (WGCMA), Colin Stockdale (adjacent landowner), land owners in Ashworth Drive
- Consideration of the above to determine conveyance and water quality treatment requirements and locations in a holistic manner for the development plan.

---

### 4 Catchment Analysis / Site Visit – Stormwater Quantity

A desktop catchment analysis was undertaken based on GIS and contour information provided by Latrobe City Council. This assessment was supplemented with a site visit to confirm the catchment extent and boundary conditions (refer to plan 133872D01 in appendix 1.0.)

An overall catchment area of 434.6 hectares outfalls to the Latrobe River, of which the development plan contributes 16% (69.8 ha).

#### 4.1 Hydrologic Model

A hydrologic RORB model was produced to estimate runoff generated by the catchment. This RORB model was calibrated to the rational method as it is an ungauged catchment.

The calibration process has not been provided in this report.



#### 4.2 Overall Catchment

Plan 133872D02 in appendix 2.0. shows the location of runoff estimated for the development plan provided in table 1.0 below.

– Table 1 Runoff Estimates for the Development Plan

Location	Pre Development Runoff (m <sup>3</sup> /s)	Post Development Runoff (m <sup>3</sup> /s)	% Increase
A	4.3	4.5	4.6
B	13.5	13.5	0
C	16.0	16.2	1.3
D	19.2	20.0	4.2
E	19.6	20.8	6.1
F	16.4	17.4	6.1
G	36.6	38.0	3.8

The difference between pre and post development runoff magnitudes is minimal, this makes logical sense as the development plan area is at the outlet of the catchment.

As a result CPG recommends that retardation is not required as part of the development plan (other than to meet downstream land owner expectations, Colin Stockdale).

#### 4.3 Stormwater Conveyance

External runoff entering at point A will be conveyed via road reserves and under ground pipe drainage to the start of the drainage reserve at point D.

External runoff entering at point B will be conveyed via road, open channel and under ground pipe drainage to the start of the drainage reserve at point D.

Runoff from point D to G will be accommodated by a drainage reserve.

External and Internal runoff from C to G will be accommodated by a drainage reserve.

Runoff generated by the internal development will be conveyed to the drainage reserves via road reserves and underground drainage.

Cross' Road Development Plan  
Drainage Strategy



The design approach is for the under ground drainage to be design to convey the 1 in 5 year ARI storm events with the remainder of flow up to the 1 in 100 year ARI event been conveyed via road reserve, channel and or drainage reserve.

#### 4.4 **Hydraulic Model (or incorporate under the relevant catchment above)**

A hydraulic HEC-RAS model was produced for the main drainage lines shown in the RORB catchment plan to estimate the extent of inundation caused throughout the development plan area for post development conditions.

A plan with extent of inundation 133872D03 can be found in appendix 3.0.

This modelling was used to confirm drainage reserve boundary extents and facilitate discussions with land owners within the development plan. The inundation plan showed that the flood extent was contained within the 60m width required by the WGCMA associated with a designated waterway.

The model was utilised to estimate the change in flood level between pre and post development scenarios for the properties in Ashworth Drive. The modelling between pre and post development flows in Ashworth drive showed an increase in flood level of between 10 to 30mm which could be described as minimal. The results from this analysis can be found in appendix 4.0.

It is intended to re establish the drainage reserve to imitate a natural waterway, this may required the incorporation of rock and riffle structures at key locations to provide grade and scour control.



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**5 Stormwater Quality**

A "masterplan" treatment strategy has been prepared for the development plan based on meeting the best practice pollutant reduction targets, namely:

- 80% removal of total Suspended Solids
- 45% removal of total Nitrogen
- 45% removal of total Phosphorus

The water quality treatment train considers the proposed Development Plan as one entity. That is the objective is to meet the overall pollutant reduction targets prior to discharge to the Latrobe River.

A MUSIC (Model for Urban Stormwater Improvement Conceptualisation) modelling approach has been used to establish the proposed treatment train strategy. The model estimates the amount of pollutants the catchment produces, the performance of treatment measures and the pollutant load generated once the catchment is treated.

The proposed stormwater quality strategy is based on the use of a wetland treatment system. To meet the minimum stormwater quality requirements a 0.94 hectare wetland system is required.

This wetland consists of:

- 1200m<sup>2</sup> sedimentation pond.
- 8500m<sup>2</sup> of emergent aquatic macrophyte plants, with a 400mm extended detention depth.

This wetland is proposed to be located within the floodplain on Colin Stockdale's land.




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## 6 Stakeholder Negotiations

### 6.1 Latrobe City Council

Meetings with Latrobe City Council to date have involved obtaining desktop GIS data and high level discussions around a possible drainage strategy.

### 6.2 West Gippsland Catchment Management Authority

Meetings with West Gippsland Catchment Management Authority have involved discussions relating to:

- Pre development conditions, predominantly around residents concerns in Ashworth Drive, and Colin Stockdales concerns with regard to utilising his and leased land within the flood plain.
- Designated drainage line requirements.
- The possibility of a wetland retarding basin facility been located on Colin Stockdales property within the flood plain with a corridor linking it to the existing St Pauls wetland to address Colin's concerns.
- The possibility of reducing the width of a section of designated waterway within the development plan area.
- The possibility of incorporating a low flow pipe within the drainage reserves such that low flow rain fall events that contain the majority of pollutants can be conveyed to the wetland, hence possibly addressing residents concerns in Ashworth Drive.
- WGCMA requirements pertaining to "net no change or zero afflux modelled", or in short that the upstream development must retard flows back to predevelopment levels and demonstrate via hydrologic and hydraulic models.
- WGCMA requirements relating to water quality requirements.
- WGCMA aspirations for the designated drainage lines.
- How the Latrobe River flood plain operates.

CPG's understanding of the WGCMA's current position is:

- The WGCMA would be in favour of a wetland / retarding basin linked to the St Pauls wetland being located on Colin Stockdales property within the flood plain subject to land owner written agreements, and that flood plain storage is maintained.
- The WGCMA require a 30m offset from designated drainage line on both sides (60m drainage reserve).
- The WGCMA would negate the zero afflux modelled requirements for the development plan for flows entering the flood plain if and only written agreement from effected land owners within Ashworth drives (who are within the Development Plan) can be provided.
- The WGCMA will require water quality treatment in accordance with Clause 56 for the development plan.
- The WGCMA would like to see the designated drainage line revegetated.

**Cross' Road Development Plan**  
Drainage Strategy

- The WGCMA may consider reducing the width of a section of designated waterway if an offset downstream which can enhance waterway objectives can be found. There was mention of a 150% offset; however this conversation was not taken further.
- The WGCMA would not be in support of a low flow pipe within the drainage reserve.

At the time of writing this report CPG is in the process of obtaining Lidar information from the WGCMA for the flood plain.

**6.3 Colin Stockdale**

Colin Stockdale's concerns relate to his ability to utilise the land within the floodplain for cattle grazing.

A site visit was carried out after a rainfall event, which demonstrated Colin's concerns. The visual conclusion of the site visit was that the St Pauls wetland, when operating at extended detention depth, appeared to be causing at least localised flooding of the land Colin is utilising for stock grazing.

Lidar information from the WGCMA will hopefully enable this to be reviewed.

**6.4 Ashworth Drive Landowners**

Anecdotal information would suggest that the main concerns that the Ashworth Drive landowners have are:

- The rubbish and sediment load conveyed through their properties during a rainfall event.
- The frequent inundation of their property.

A low flow pipe would enable the majority of rainfall events and rubbish and sediment to bypass the Ashworth Drive resident's land, whilst also directing all the pollutants to one location for ongoing maintenance.





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## 7 Historic / Financial Obligations

The Cross' Road Traralgon Development Plan has to convey drainage flows from the existing upstream catchment; the historic and financial obligations of this are discussed in this section.

### 7.1 Stormwater Conveyance

Development upstream of the Cross' Road Traralgon Development Plan has historically occurred without the need for onsite storm water detention and or storm water quality treatment.

As such increased drainage flow in (magnitude and volume) along with an increase in storm water pollutant load (litter and sediment) has been experienced by the downstream properties. This has no doubt altered the waterway characteristics of the downstream properties overtime. How this relates to the designation of the waterways by the WGCMA is unknown or tested.

A 60m drainage reserve is required within the development plan to comply with WGCMA requirements. As the conveyance of the upstream and development plan flow can be contained within this reserve no obligation for conveyance can be contributed to Council as the drainage authority.

There is however an argument that:

- A proportion of costs associated with providing an outfall for low flows through the Colin Stockdale land (land acquisition and construction cost) should be borne by Council.
- A portion of costs associated with the construction of the retarding basin to meet Colin Stockdale's needs should be borne by Council.
- A portion of costs associated with upgrading the culverts on Ashworth Drive if required should be borne by Council.
- A portion of the cost associated with providing a low flow pipe throughout the development plan if required should be borne by Council.

### 7.2 Stormwater Quality

The proposed wetland treatment facility will treat the development plan area only and as such the costs associated with wetland and land acquisition are to be borne wholly by the development plan.



## 8 Drainage Response to the Development Plan

The holistic drainage response to the development plan is based on:

- Conveying developed runoff through the development plan area to a wetland / retarding basin within the floodplain on Colin Stockdales land.
- The wetland in the flood plain being suitably sized to comply with Clause 56 of the Victorian Planning Provisions.
- The retarding basin, drainage corridor and modifications to the St Pauls wetland within the flood plain being sized to convey nuisance flows such that Colin Stockdales land can be managed better.
- Providing a 60m drainage reserve within the development plan to cater for designated waterways as per WGCMA requirements.
- Reducing the width of a section of designated waterway with approval from the WGCMA.
- The possible adoption of a low flow pipe within the drainage reserves.

To enable this to occur:

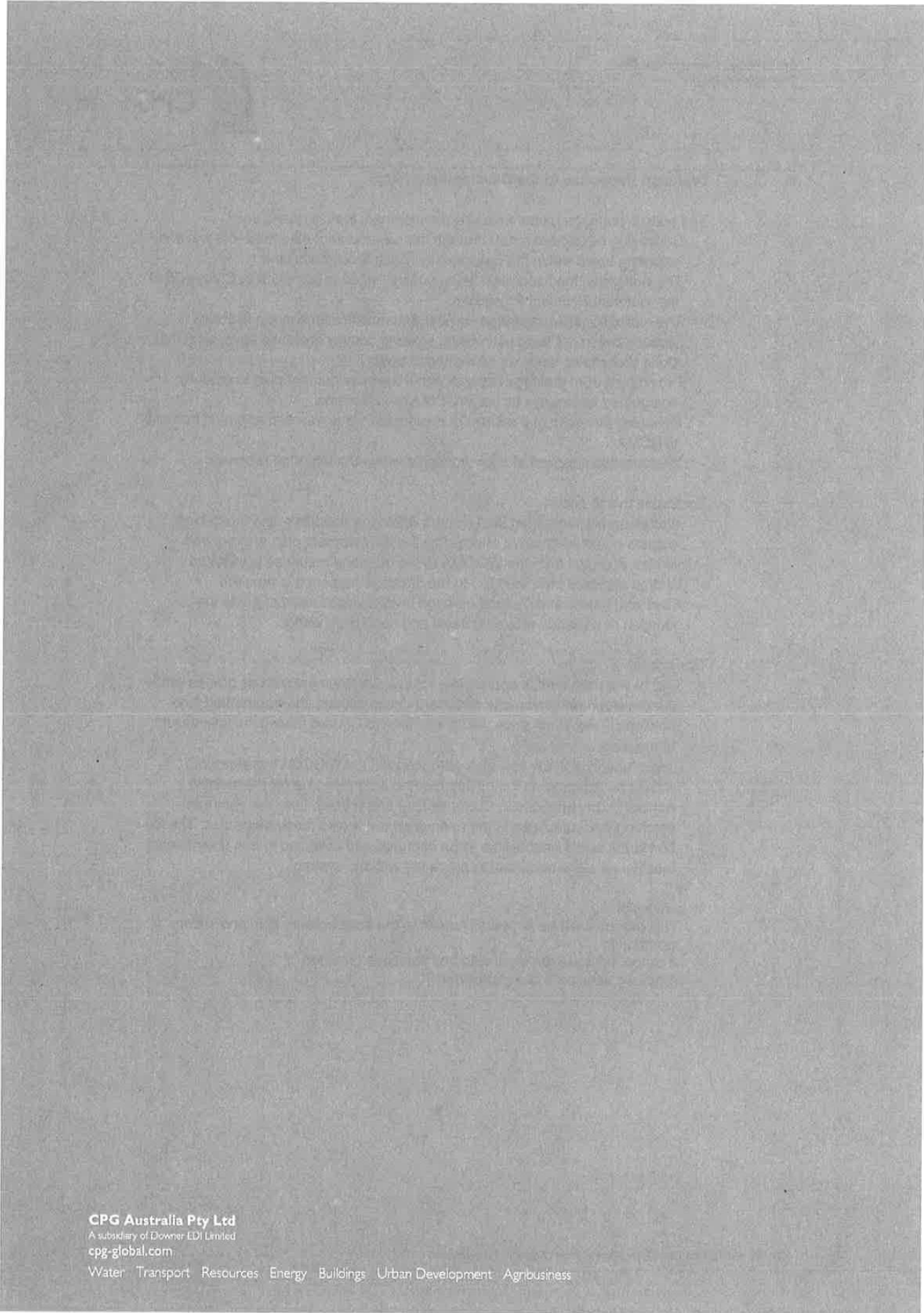
- Written agreements from land owners within the floodplain and those land owners in Ashworth drive affected by the development plan are required.
- Written approval from the WGCMA to the drainage response is required.
- Written approval from the LCC to the drainage response is required.
- Flora and Fauna and Cultural heritage investigations need to guide the location of wetland / retarding basin and flood plain works.

Comments:

- End of line treatment is appropriate for this development plan as grades within the development plan make treatment onsite difficult, the fragmented land holdings in Ashworth drive would also lead to Council having multiple assets to maintain.
- The adoption of a low flow pipe (although not the WGCMA's preference) should be explored as it may improve the amenity value for the existing Ashworth Drive residents. Currently litter and rubbish from the upstream catchment accumulates in the open drain that fronts these properties. The low flow drain would enable litter to be captured and collected in one downstream location as a pre-treatment to proposed wetland system.

In conclusion:

- This proposal will be of overall benefit to the development plan and wider community.
- A range of issues are dealt with and solutions provided.
- A holistic solution is being provided.



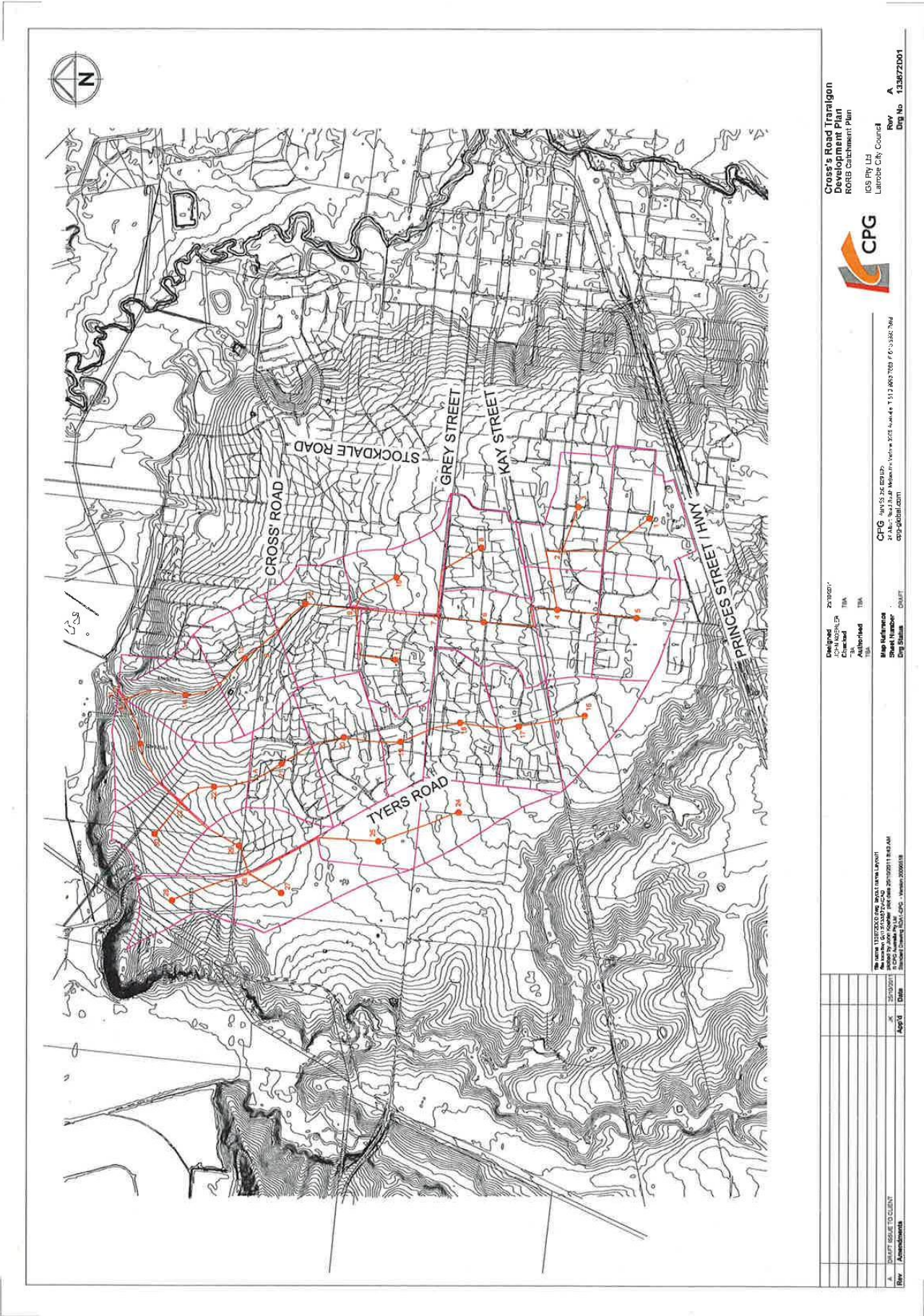
**CPG Australia Pty Ltd**

A subsidiary of Downer EDI Limited

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Water Transport Resources Energy Buildings Urban Development Agribusiness

Appendix 1



**Cross's Road Traralgon Development Plan**  
**RORB Catchment Plan**

IGS Pty Ltd  
 Lancelote City Council  
 Rev A  
 Dwg No 133672D01

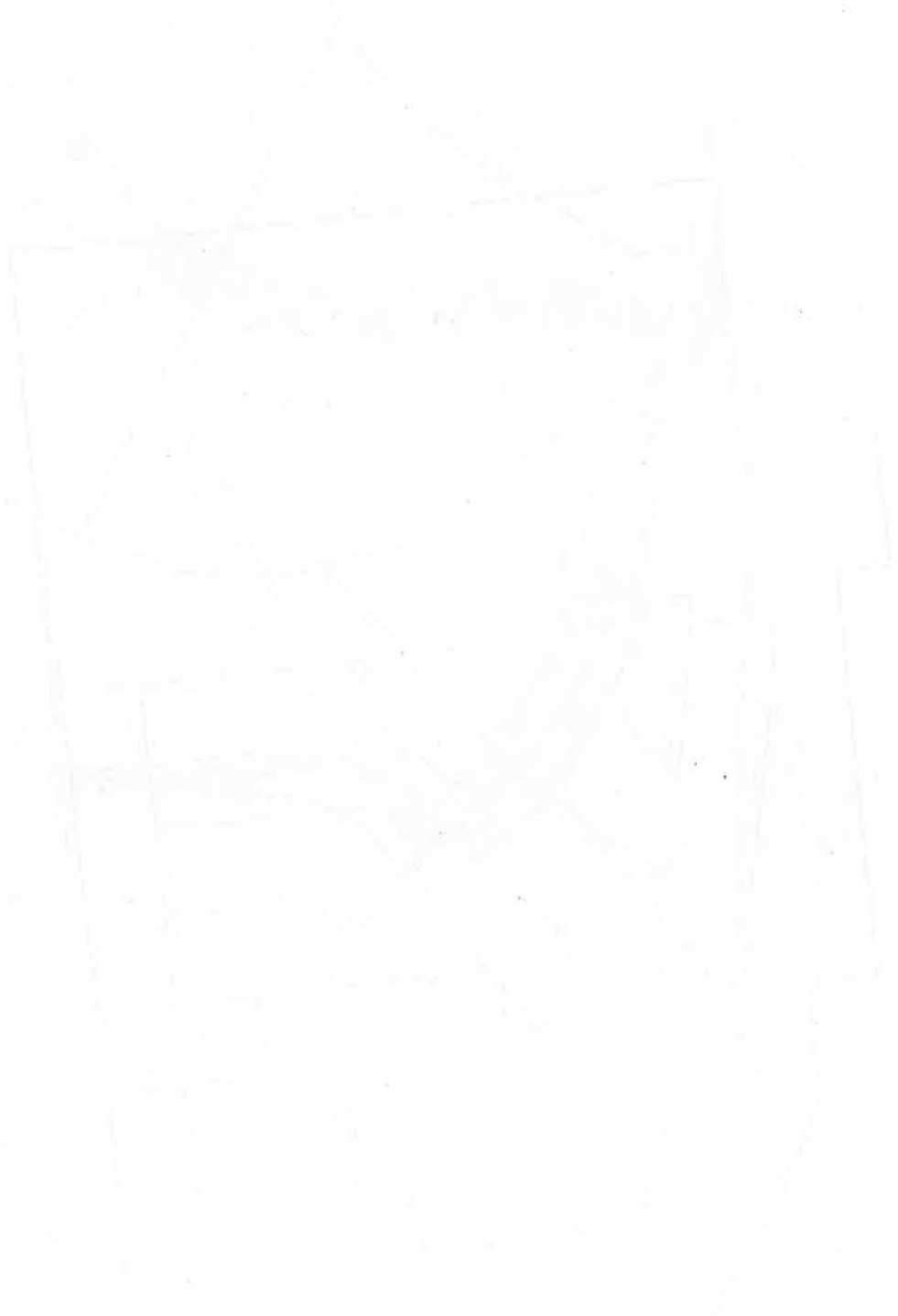
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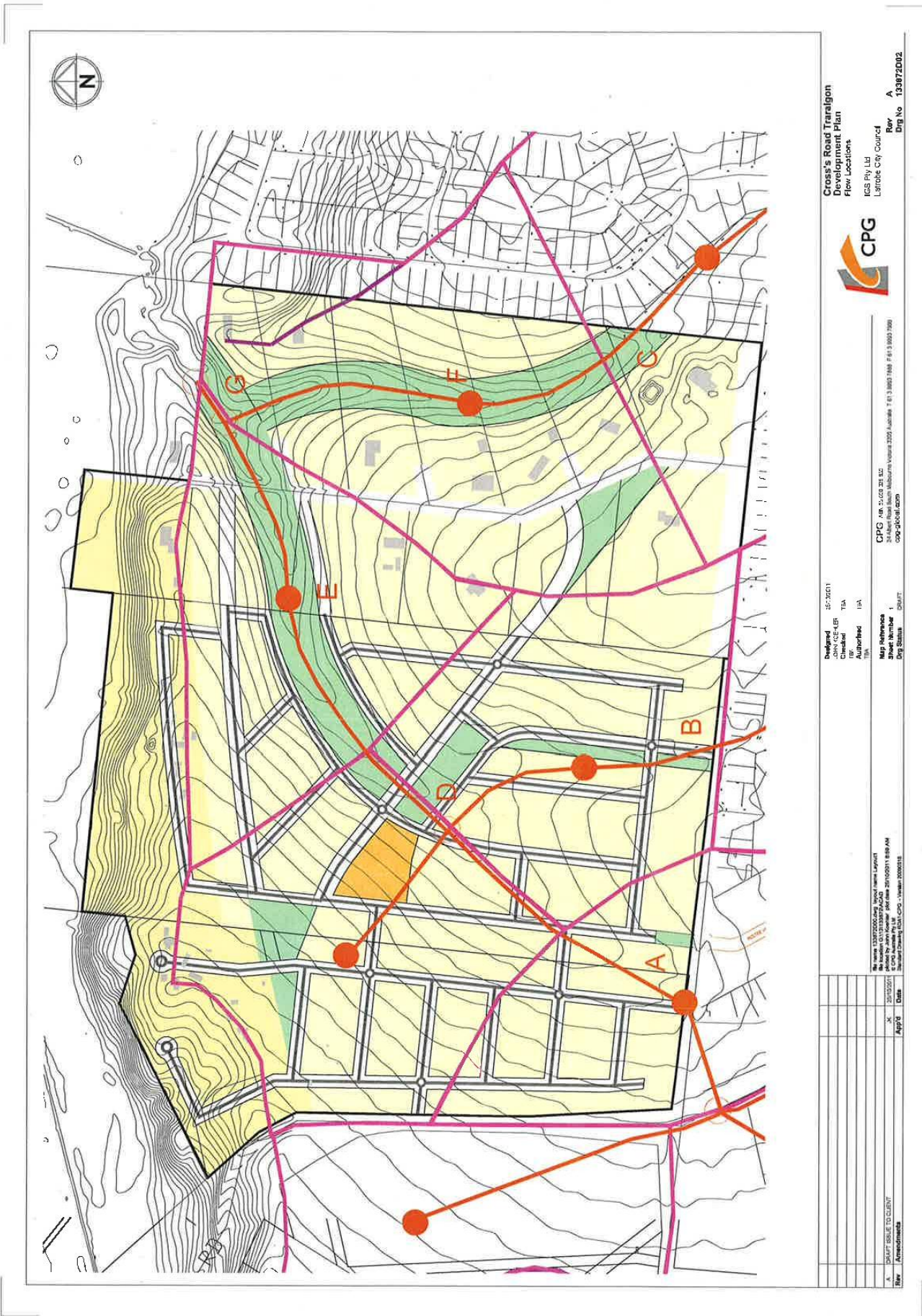
**CPG** Pty Ltd  
 1111 1111 Street  
 Traralgon VIC 3840  
 T: 513 465 7888 F: 513 465 7844  
 cpg@cpigroup.com

Drawn By	Checked By	Authorised By	Map Reference	Sheet Number	Dwg Number
J. HANCOCK	J. HANCOCK	J. HANCOCK			

Rev	Description	Date
A	PRELIMINARY CLIENT APPROVAL	12/03/2021
B	APPROVAL	12/03/2021


Appendix 2





**Cross's Road Traralgon Development Plan**  
 Flow Locations

IGS Pty Ltd  
 Lantide City Council  
 Rev A  
 Dwg No. 130872002


**CPG**  
 180 100 1000  
 180 100 1000

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John CEF	1/A	1/A	
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Sheet Number	1		
Dwg Date	05/2021		

Map Reference: 180 100 1000  
 Sheet Number: 1  
 Dwg Date: 05/2021  
 IGS Pty Ltd  
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 180 100 1000

Rev	Authorisation	Date
1	CPG 180 100 1000	05/2021

Appendix 3







Rev	Description	Date
1	ISSUED FOR CLIENT	25/02/2021
2	FOR PRELIMINARY REVIEW	11/03/2021
3	FOR PRELIMINARY REVIEW	11/03/2021
4	FOR PRELIMINARY REVIEW	11/03/2021
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**Designed:** 27/02/21  
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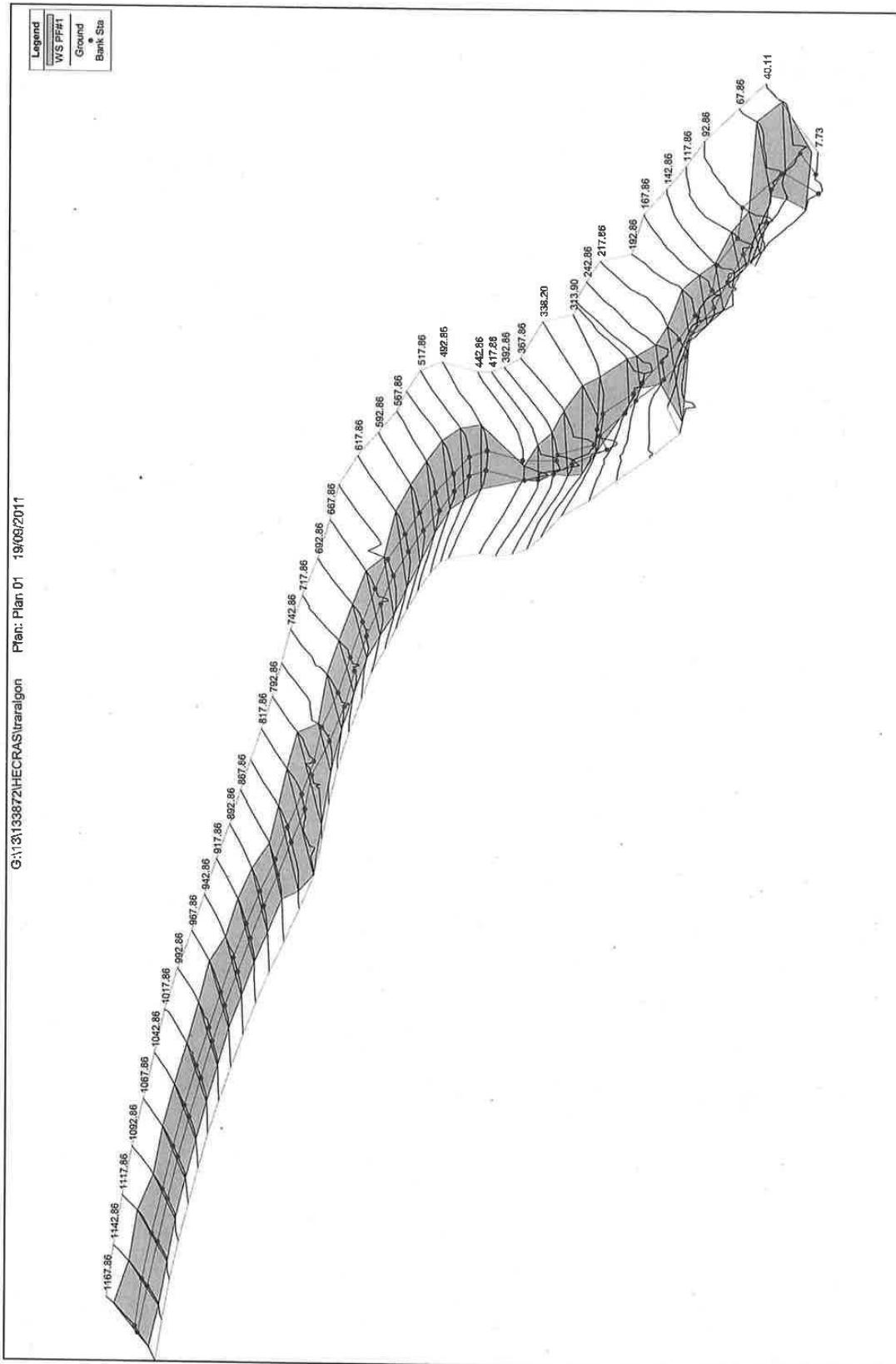
**CPG** 4W/53/02/16/5K  
 100 Melbourne Victoria 3227 Australia - P. 1301-1304 F. 03 56237550  
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**Cross's Road Traralgon Development Plan**  
**Amendment Plan**  
 IGS Pty Ltd  
 Latrobe City Council  
 Rev A  
 Dwg No. 130872003

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Appendix 4





EXISTING CONDITIONS

JK 02/10/11

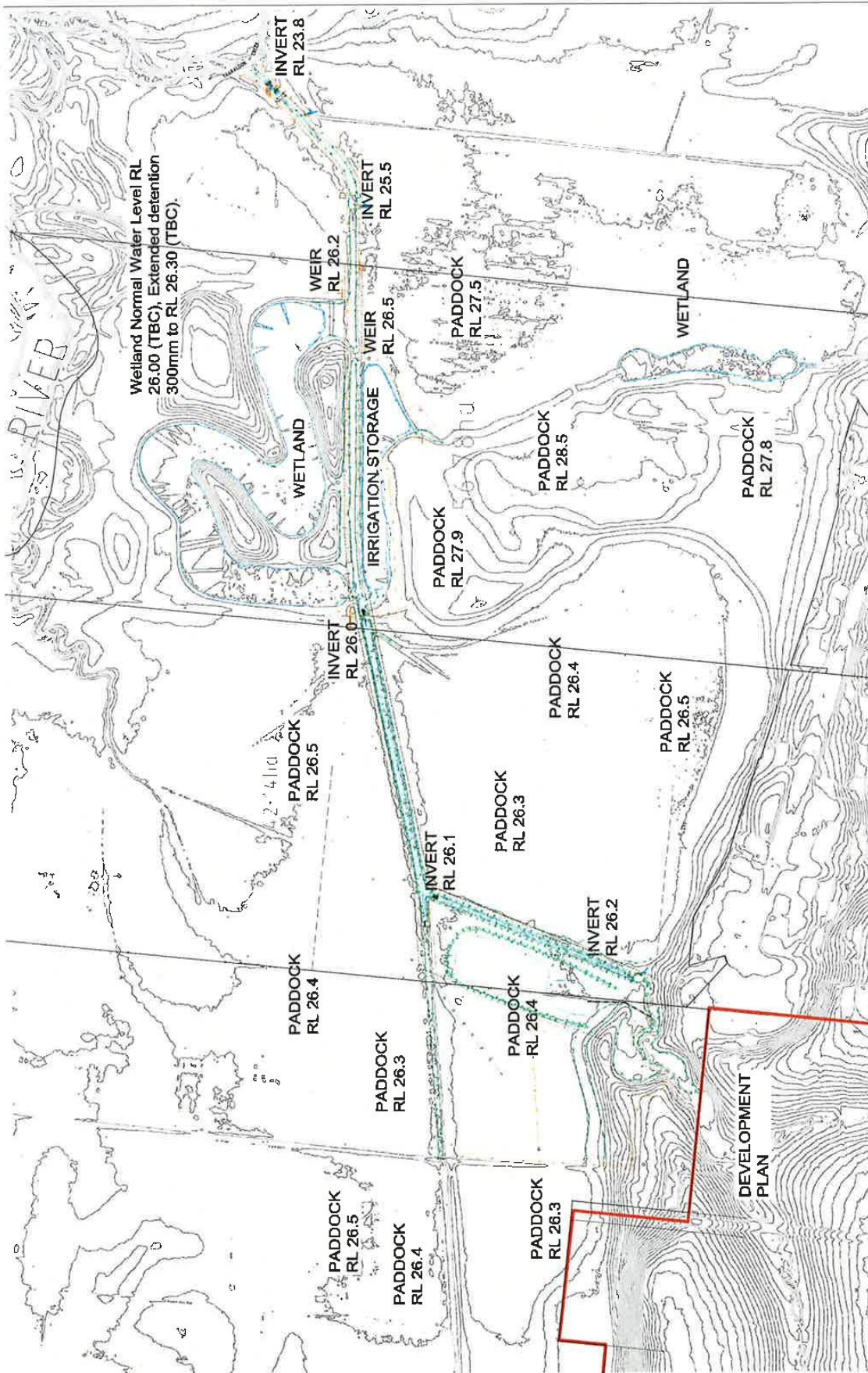
HEC-RAS Plan: Plan 01 River: main Reach: 8 Profile: PF#1

Reach	River Sta	Profile	Q Total (m <sup>3</sup> /s)	Min Ch El (m)	W.S. Elev (m)	Crit W.S. (m)	E.G. Elev (m)	E.G. Slope (m/m)	Vel Chnl (m/s)	Flow Area (m <sup>2</sup> )	Top Width (m)	Froude # Chl
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6	1142.86	PF#1	4.50	40.41	40.56	40.53	40.59	0.017420	0.74	6.42	59.04	0.56
0	1117.86	PF#1	4.50	40.06	40.22		40.24	0.010975	0.62	7.58	60.56	0.53
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0	1067.86	PF#1	4.50	39.50	39.69		39.71	0.010562	0.74	7.04	40.38	0.55
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0	942.86	PF#1	4.50	38.26	38.49		38.61	0.008250	0.76	6.83	42.24	0.53
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0	742.86	PF#1	19.61	35.74	36.87		36.98	0.008238	1.53	16.35	39.16	0.60
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DEVELOPED CONDITIONS JK 02/10/11

HEC-RAS Plan: Plan 01 River: main Reach: B Profile: PF#1

Reach	River Sta	Profile	Q Total (m3/s)	Min Ch El (m)	W.S. Elev (m)	Crit W.S. (m)	E.G. Elev (m)	E.G. Slope (m/m)	Vel Chnl (m/s)	Flow Area (m2)	Top Width (m)	Froude #	Chl
8	1167.86	PF#1	4.50	40.00	40.89	40.84	40.91	0.010228	0.72	7.84	67.38	0.54	
8	1142.86	PF#1	4.50	40.41	40.56	40.53	40.59	0.017420	0.74	6.42	59.04	0.66	
8	1117.86	PF#1	4.50	40.06	40.22		40.24	0.010975	0.62	7.56	60.56	0.53	
8	1092.86	PF#1	4.50	39.75	39.95		39.95	0.010988	0.76	6.67	46.50	0.56	
8	1067.86	PF#1	4.50	39.50	39.69		39.71	0.010562	0.74	7.04	49.36	0.55	
8	1042.86	PF#1	4.50	39.22	39.42		39.44	0.011303	0.78	8.94	48.64	0.57	
8	1017.86	PF#1	4.50	38.94	39.15		39.18	0.010571	0.76	8.92	46.95	0.55	
8	992.86	PF#1	4.50	38.71	38.93		38.95	0.009066	0.68	7.59	47.51	0.48	
8	967.86	PF#1	4.50	38.50	38.71		38.73	0.009467	0.73	7.32	49.36	0.53	
8	942.86	PF#1	4.50	38.26	38.49		38.51	0.009250	0.75	6.93	42.24	0.53	
8	917.86	PF#1	4.50	37.96	38.23	38.18	38.26	0.011876	0.83	6.51	44.24	0.59	
8	892.86	PF#1	4.50	37.77	38.01		38.03	0.007763	0.73	7.37	43.51	0.49	
8	867.86	PF#1	4.50	37.38	37.61	37.81	37.67	0.003037	1.19	4.35	37.01	0.97	
8	842.86	PF#1	4.50	37.20	37.60	37.31	37.60	0.000553	0.27	18.39	58.16	0.14	
8	817.86	PF#1	4.50	36.89	37.59		37.59	0.000201	0.23	26.40	72.93	0.09	
8	792.86	PF#1	20.78	36.73	37.49		37.53	0.007889	0.84	21.87	65.50	0.50	
8	767.86	PF#1	20.78	36.42	37.14		37.26	0.016367	1.65	13.71	34.43	0.77	
8	742.86	PF#1	20.78	35.74	38.89		36.98	0.008224	1.55	17.06	39.77	0.60	
8	717.86	PF#1	20.78	35.62	36.70		36.78	0.007581	1.43	17.71	36.00	0.56	
8	692.86	PF#1	20.78	35.61	36.40		36.52	0.014687	1.77	14.35	38.50	0.77	
8	667.86	PF#1	20.78	34.90	36.22		36.29	0.005528	1.33	16.78	42.70	0.49	
8	642.86	PF#1	20.78	35.44	35.88		36.08	0.013535	1.46	14.65	35.71	0.72	
8	617.86	PF#1	20.78	35.16	35.78		35.82	0.007967	1.35	18.37	44.31	0.57	
8	592.86	PF#1	20.78	34.92	35.56		35.62	0.007866	1.36	18.52	44.33	0.57	
8	567.86	PF#1	20.78	34.63	35.27		35.38	0.012921	1.67	15.24	40.23	0.73	
8	542.86	PF#1	20.78	34.40	35.02		35.11	0.008923	1.51	16.65	36.40	0.62	
8	517.86	PF#1	20.78	34.16	34.80		34.88	0.008576	1.47	16.73	37.65	0.60	
8	492.86	PF#1	20.78	33.87	34.42	34.59	34.57	0.019578	1.96	12.44	33.55	0.89	
18	467.86	PF#1	20.78	31.16	33.11	+0.02 33.04	33.53	0.020763	2.89	7.20	7.47	0.93	
17	442.86	PF#1	20.78	31.23	33.09	+0.02	33.21	0.005345	1.60	14.62	19.71	0.50	
16	417.86	PF#1	20.78	30.81	32.84	+0.01	33.07	0.005158	1.65	14.34	22.00	0.49	
15	392.86	PF#1	20.78	30.65	32.96	+0.02	32.90	0.001016	0.88	29.48	34.52	0.23	
14	367.86	PF#1	20.78	30.12	32.96	+0.02	32.97	0.000328	0.60	46.49	45.54	0.14	
13	338.20	PF#1	20.78	32.32	32.78	+0.02 32.78	32.93	0.025555	1.94	12.28	40.38	0.99	
12	313.00	PF#1	20.78	31.04	31.46	+0.05 31.18	31.56	0.006480	0.70	16.09	24.31	0.45	
11	283.30	PF#1	20.78	30.92	31.16	+0.05 31.12	31.40	0.020165	0.75	6.56	16.44	0.40	
10	267.86	PF#1	20.78	30.29	30.67	+0.01 30.67	30.60	0.016546	1.57	10.39	22.45	0.84	
9	242.86	PF#1	20.78	29.43	30.72	+0.01 30.15	30.74	0.001001	0.74	37.39	56.85	0.23	
8	217.86	PF#1	37.95	29.16	30.36	+0.01	30.61	0.017013	2.41	17.59	28.00	0.67	
7	192.86	PF#1	37.95	28.51	30.08	+0.02	30.26	0.010791	2.13	20.69	29.88	0.71	
6	167.86	PF#1	37.95	28.44	29.90	+0.01	30.03	0.006901	1.63	23.40	28.12	0.56	
5	142.86	PF#1	37.95	27.92	29.43	+0.01 29.43	29.74	0.019511	2.72	16.16	26.26	0.92	
4	117.86	PF#1	37.95	27.32	29.04	+0.01 29.04	29.30	0.015082	2.64	18.18	28.83	0.83	
3	92.86	PF#1	37.95	27.16	28.40	+0.01 28.49	28.74	0.036222	3.07	16.34	46.49	1.24	
2	67.86	PF#1	37.95	26.81	28.20	+0.01 27.98	28.32	0.007738	1.55	25.29	38.85	0.58	
1	40.11	PF#1	37.95	26.45	27.65	+0.01 27.65	27.93	0.017060	2.61	17.56	31.45	0.90	







Crosses Road, Traralgon  
Ecological Assessment

24<sup>th</sup> July 2011  
Prepared by Paul Kelly

CPG





**Crosses Road, Traralgon**  
Ecological Assessment

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## 1 Introduction

### 1.1 Project Brief

CPG Australia was commissioned by IGB Pty Ltd to conduct an ecological assessment of the flora and fauna within the Subject Site located at Crosses Road, Traralgon North. This report outlines the findings of the ecological assessment and identifies potential ecological constraints to the proposed development.

### 1.2 Objectives

The objectives of the flora and fauna assessment were to undertake:

- An analysis of the databases interrogated as part of the initial review;
- An assessment of the quality of the vegetation on the site including the presence of any remnant patches; and
- Advice as to the potential presence of listed threatened species of flora and or fauna or other ecological constraints to development of the site;

### 1.3 Subject site

The subject site contains all that land captured by the Development Plan Overlay (DPO5) on the corner of Crosses Road and Tyers Road, Traralgon. This area consists of two adjoining farming properties and a large lot rural residential development associated with Ashworth Drive.

'Yurragar' (150 Tyers Road) is the property of MB and JA Saunders and is located on the corner of Crosses Road and Tyers Road. This property is approximately 23 hectares in area and is currently grazed.

'View Hill' (Lot 1 PS 424148C) is the property of Colin Stockdale, and adjoins the eastern boundary of the Saunders property. This property is approximately 33 hectares in area and is a current dairy farm.

The majority of the site is zoned Residential 1 with a Development Plan Overlay (DPO5).

DPO5 contains specific requirements for flora and fauna namely:

- In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Growling Grass Frog (*Litoria raniformis*) and Dwarf Galaxias (*Galaxiella pusilla*), and measures required to protect the identified species.
- An assessment of any native vegetation to be removed having regard to Victoria's Native Vegetation Management: A Framework for Action, including how it is proposed to protect and manage any appropriate native vegetation.
- Regard must be had to the West Gippsland Native Vegetation Plan 2003.
- Any management plan should take into account that the Strzelecki Bioregion is one of Victoria's most fragmented Bioregions and address this as a consideration.

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#### 1.4 Land Use History

'Yurragar' has been operating as a dairy farm for over 40 years. Dairying has recently ceased but the property continues to be grazed by cattle.

'View Hill' has also been operating as a dairy farm for over 40 years and continues today (Jenny Saunders, Landowner 16<sup>th</sup> June 2011 pers. comm.).

The waterway that enters the Stockdale property in the south east corner drains storm water and at times, sand filter discharge from the adjoining residential development. Prior to the construction of the adjoining residential development, the waterway was an open ephemeral drain. At that time the primary source of input was from Stoddarts Abattoir upstream. The waterway was piped under Crosses Road approximately 40 years ago. (Colin Stockdale, Landowner and long time Traralgon resident. 16<sup>th</sup> June 2011 pers. comm.). The waterway has been cleaned out several times in an effort to confine the discharge.

All paddocks have been regularly fertilised and heavily grazed. Several boundary and intermediate fence line plantations have been planted on both properties.

The Subject site is within the Latrobe City Council local government area and the Gippsland Plain Bioregion.

---

## 2 Methods

### 2.1 Literature and Database Review

Several databases and reports were interrogated and reviewed. These include:

- The Flora Information System (FIS) (Viridans 2011a);
- The Atlas of Victorian Wildlife (AVW) (Viridans 2011b);
- The DSE Biodiversity Interactive Map (DSE 2011); and
- The EPBC protected matters search tool, using a 5km radius search (EPBC 2011).

### 2.2 Site Assessment

The Subject site was assessed on foot on the 16<sup>th</sup> June 2011.

The habitat of those threatened species of flora and fauna revealed during the analysis of the databases were actively target searched. Records of flora and fauna sighted during the site investigation were made and occur in Appendix 2 and Appendix 3 respectively.

The site assessment was carried out in winter. Winter is not considered to be the best season to carry out an assessment of the flora and fauna of a site. Many plants are not flowering making it difficult to accurately determine the identification. Fauna are not as active during winter and as such may not readily be observed. Late Spring/ early Summer is considered the most appropriate season.

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We consider that our extensive interrogation of the data; interviews with landowners; research of available documents and the intensive targeted searching of the site has provided a thorough site assessment. When combined with our extensive experience with the assessment of similar land systems and ecologies this report provides an assessment of the ecological constraints of the site which is fit for purpose.

---

### 3 Results

#### 3.1 Subject site and land use

The subject site occurs within the Gippsland Plain Bioregion.

The Stockdale property ('View Hill') occurs in the eastern portion of the site and is an active dairy farm. The Saunders property ('Yurragar') occurs in the west of the site and is used for grazing of livestock. All paddocks are intensively grazed.

The Stockdale property has been a dairy farm for over 80 years. (Colin Stockdale, Landowner 16<sup>th</sup> June 2011 pers. comm.). The Saunders property has been a dairy farm for a similar period (Jenny Saunders, Landowner 16<sup>th</sup> June 2011 pers. comm.)

The majority of the site has been cleared of native vegetation and the pasture has been improved by sowing pasture species and regular applications of fertiliser.

The vegetation of the site is considered to be highly modified due to this historic landuse and extensive clearing across the majority of the site. Scattered isolated native plants occur across the property (predominately in relation to the drainage lines).

Several plantations of exotic and native trees occur on the site.

The adjoining roadsides (Crosses Road and Tyers Road) are dominated by exotic plants. Several large native trees (Yellow Box *Eucalyptus melliodora* and Manna Gum *Eucalyptus viminalis*) occur within the road reserve in the north west corner of 'Yurragar'.

A storm water drain runs north to south across the subject site from Crosses Road. The storm water pipe extends from the adjoining residential development under Crosses Road and extends into the 'View Hill' paddock where it discharges into a low lying dispersed shallow saturated area dominated by emergent aquatic vegetation. The storm water then discharges into a clearly defined open drain and discharges into a dam on the drainage line. Discharge from the dam enters the upper reach of Wades Creek which at this point contains a variety of exotic and native overstorey vegetation. This waterway ultimately discharges into the property east of the site (Craigie 2010). The waterway, now best described as Wades Creek, flows through adjoining land and eventually into Traralgon Creek.

#### 3.2 Flora

The flora species recorded on the site are listed in Appendix 2.

The pre-1750 vegetation of the site has been modelled by the DSE as containing three Ecological Vegetation Classes (EVC).

The EVC below the escarpment on the northern edge of the site was modelled as EVC 56 – Floodplain Riparian Woodland. The EVC associated with the drainage lines was modelled as EVC 53 Swamp Scrub and the remainder of the site was

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modelled as EVC 55 Plains Grassy Woodland. All three EVC have the Bioregional Conservation Status of Endangered.

The 2005 DSE modelled EVC mapping shows the presence of small highly fragmented patches of EVC 56 – Floodplain Riparian Woodland and a small fragment of EVC 55 Plains Grassy Woodland, probably associated with the two retained River Red Gums within the drainage line on the Stockdale property. No remnant patches of EVC 53 – Swamp Scrub are mapped on the 2005 mapping. It is considered that there are two remnant patches of native vegetation on the subject site and two scattered trees.

The upper reaches of Wades Creek (between the dam and the culvert on Ashworth Drive) contains a discrete remnant modified patch of EVC 53 Swamp Scrub (HZ1). This patch contains a modified overstorey of mature Swamp Paperbark *Melaleuca ericifolia* with several Black Wattle *Acacia mearnsii* and the occasional Blackwood *Acacia melanoxylon*. The understorey is dominated by exotic plants including Willow *Salix* spp, Blackberry *Rubus fruticosus* sp.agg. Kikuyu *Pennisetum clandestinum* and other exotic grasses.

The EPBC listed search tool and FIS records for the area identified the potential for several threatened flora species onsite or within the vicinity of the site. Table 3-1 lists those species of threatened flora.

**Table 3-1 - Threatened Flora or habitat recorded in the vicinity**

F	A	V	O	Species Name	Common Name
		V		<i>Amphibromus fluitans</i>	River Swamp Wallaby-grass
f		e		<i>Craspedia canens</i>	Grey Billy-buttons
	E	e		<i>Dianella amoena</i>	Matted Flax-lily
		k		<i>Hypsela tridens</i>	Hypsela
F		r		<i>Lachnagrostis punicea</i>	Purple Blown-grass
F	E	e		<i>Prasophyllum frenchii</i>	Maroon Leek-orchid
F	E	e		<i>Thelymitra epipactoides</i>	Metallic Sun-orchid
		V	v	<i>Xerochrysum palustre</i>	Swamp Everlasting

F = Listed under Victorian Flora & Fauna Guarantee Act 1988

A = EPBC conservation significance (Extinct, Critically Endangered, Endangered and Vulnerable)

V = Victorian Conservation significance (extinct, endangered, vulnerable, rare and Poorly known (DSE 2005 – Advisory List).

O = Origin (indigenous or \* exotic)

No EPBC or FFG listed threatened species of flora were recorded during the site survey. None of the species listed in Table 3-1 are considered to occur on the site due to the extensive amount of vegetation modification and intensive land use.

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### 3.3 Habitat Hectare Assessment

One remnant patch (Habitat Zone) of native vegetation (DSE 2004, DSE 2007) occurs on the site. The patch is a highly modified remnant of EVC 53 Swamp Scrub and occurs in the section of Wades Creek between the dam on the 'View Hill' and Ashworth Drive. The location of the patch is shown on Appendix 1 – Biological Features.

Table 3-2 determines the Habitat Hectare value of the remnant patch of native vegetation.

Two remnant Large Old Trees (LOT) River Red Gums were recorded in the drainage line on 'View Hill'.

### 3.4 'View Hill' Drain

The vegetation quality of the low lying dispersed shallow saturated area in the Stockdale property is considered to be low and the exotic vegetation cover is greater than 75%. The soil in this area is substantially saturated and is extensively pugged by livestock. A small area of open water occurs near the outlet of the pipe. Considerable amounts of a variety of litter are present. The dominant vegetation in this wet depression are Water Couch *Paspalum distichum* and Watercress *Nasturtium officinale*, both exotic species. Several dispersed tussocks of the indigenous Austral Rush *Juncus australis* and a spike-rush *Eleocharis* spp also occur.

Other exotic species include *Paspalum dilatatum*, Drain Flat-sedge *Cyperus eragrostis*, Creeping Buttercup *Ranunculus repens*, White Clover, *Trifolium repens*, Kikuyu, Clustered Dock *Rumex conglomeratus*, and Curled Dock *Rumex crispus*. The margins of this wet depression are variously invaded by the surrounding exotic pasture species e.g. White Clover, Ryegrass, Cocksfoot etc.

This drain enters a dam approximately central to the 'View Hill' site. This dam has a pressure pump installed on it that probably services the dairy.

It is considered that Wades Creek continues downstream of this dam. The vegetation associated with this creek forms a remnant patch of EVC 53 – Swamp Scrub (Section 3.3 Habitat Hectare Assessment).

Pre 1750 DSE vegetation modelling in this area considered that the vegetation was EVC 53 – Swamp Scrub prior to settlement. Historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 - Swamp Scrub on this area is now extinct and has been replaced by a relatively new community of plants most of which are exotic. It is not considered to be, by definition (DSE 2007) a remnant patch of native vegetation. The indigenous species of plants present on the area are not those expected to be present in the pre 1750 EVC 53 Swamp Scrub. For the purposes of the Native Vegetation Framework (DNRE 2002), the West Gippsland Vegetation Plan (WGCMA 2008) and the Latrobe City Planning Scheme, the area is considered to be a disturbed area. As such, the three step approach does not need to be applied and an offset will not generally be required (DSE 2010).



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Several remnant patches of native vegetation and large old trees occur on the road reserve adjoining the north west corner of 'Yurrabar'.

**Table 3-2 Quantification and significance of losses in patches of Native Vegetation**

Habitat Zone			HZ1
Bioregion			GP
EVC #: Name			53 SS
EVC Bioregional Conservation Status			END
		Max Score	Score
Site Condition	Large Old Trees	10	NA
	Canopy Cover	5	1
	Understorey	25	5
	Lack of Weeds	15	4
	Recruitment	10	1
	Organic Matter	5	2
	Logs	5	NA
	<b>Total Site Score</b>	<b>75</b>	<b>13</b>
	EVC standardiser (e.g. 75/55) [1]		75/60
	<b>Adjusted Site Score</b>		<b>16</b>
Landscape value	Patch Size	10	1
	Neighbourhood	10	0
	Distance to Core	5	0
<b>Habitat Score</b>		<b>100</b>	<b>17.00</b>
<b>Habitat points = #/100</b>		<b>1</b>	<b>0.17</b>
Habitat Zone area (ha)		(#. #)	4.2
<b>Habitat Hectares</b>		<b>(#. #)</b>	<b>0.71</b>
Conservation Significance	Conservation status x Habitat Score		High
	Threatened Species Rating		Med
	Other Site Attribute Rating		High
	<b>Overall Conservation Significance (highest rating)</b>		<b>High</b>

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### 3.5 Fauna and Fauna habitats

The faunal compliment of the site is considered to reflect the quality of the vegetation and the extent of modification due to the historic and current land use practices. Fauna recorded on the site are listed in Appendix 3

The EPBC listed search tool and AVW records for the area identified the potential for several threatened fauna species onsite or within the vicinity of the site. Table 3-3 lists those threatened species or their habitat that has been recorded or may occur in the vicinity.

**Table 3-3 -Threatened Fauna or habitat recorded in the vicinity**

F	A	V	O	Species Name	Common Name
f		v		Haliaeetus leucogaster	White-bellied Sea-Eagle
f	E	ce		Anthochaera phrygia	Regent Honeyeater
f	E	e		Lathamus discolor	Swift Parrot
f	V	ce		Rostratula australis	Painted Snipe
f	V	v		Galaxiella pusilla	Dwarf Galaxias
f	V	v		Prototroctes maraena	Australian Grayling
f	V	e		Litoria raniformis	Growling Grass Frog
f	E	e		Dasyurus maculatus	Tiger Quoll
f	V	e		Potorous tridactylus	Long-nosed Potoroo
f		v		Pseudomys novaehollandiae	New Holland Mouse
f	V	v		Pteropus poliocephalus	Grey-headed Fruit Bat
		nt		Gallinago hardwickii	Lathams Snipe

F = Listed under Victorian Flora & Fauna Guarantee Act 1988

A = EPBC conservation significance (Extinct, Critically Endangered, Endangered and Vulnerable)

V = Victorian Conservation significance (extinct, endangered, vulnerable, rare and Poorly known (DSE 2005 – Advisory List).

O = Origin (indigenous or \* exotic)

No EPBC or FFG listed threatened species of fauna were recorded during the site survey. The site is not considered to provide significant habitat critical to the conservation of these species. None of the species listed in Table 3-3 are considered to utilise the site permanently due to the extensive amount of vegetation modification with one exception, the Growling Grass Frog (GGF). Lathams Snipe may opportunistically utilise the low lying dispersed shallow saturated area associated with the drain.

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Dwarf Galaxias and Australian grayling may navigate the upper reaches of Traralgon Creek but it is doubtful if they would occupy this section of Wades Creek due to the extensive habitat modification.

---

#### **4 Discussion**

##### **4.1 Flora**

It is considered unlikely that the site contains significant habitat for the threatened species listed in Table 3-1 due to intensive, historic land use (heavily grazed and fertilised), high density of weeds (pasture grasses) and level of soil disturbance by grazing cattle.

The native vegetation associated with Wades Creek (below the 'View Hill' dam) is considered to be a remnant patch of native vegetation despite its low species richness, low floristic and structural diversity and high density of weeds.

Two scattered trees were the only other remnant native vegetation recorded on the site with the exception of isolated scattered native plants which occur within the grazed paddocks e.g. *Juncus* spp.

The Pre 1750 DSE modelling of the vegetation in the low lying dispersed shallow saturated area in the Stockdale property, concluded that the vegetation prior to settlement, was EVC 53 – Swamp Scrub. Historic land use including grazing, pasture improvement and more regular and concentrated inundation, has considerably altered the vegetation quality of this area. It is considered that EVC 53 - Swamp Scrub on this area is now extinct and has been replaced by a relatively new community of plants on a disturbed substrate and most of the plants are exotic. It is not considered to be, by definition (DSE 2007) a remnant patch of native vegetation. The indigenous species of plants present on the area are not those expected to be present in the pre 1750 EVC 53 Swamp Scrub. For the purposes of the Native Vegetation Framework (DNRE 2002), the West Gippsland Vegetation Plan (WGCMA 2008) and the Latrobe City Planning Scheme, the area is considered to be a disturbed area. As such, the three step approach does not need to be applied and an offset will not generally be required (DSE 2010). The predominantly exotic vegetation of this wet area does however provide valuable and effective sediment capture from the storm water of its catchment.

Despite being determined as having a high conservation significance rating (DNRE 2002), the remnant vegetation of Wades Creek is considered to be a very low quality example of EVC 53 Swamp Scrub. The edges of the remnant patch continue to be grazed. It provides a persistent ongoing source of weeds downstream. It does however, in its present form, provide valuable linear riparian vegetation that provides some marginal protection for this section of Wades Creek from further entrenchment and erosion.

##### **4.2 Fauna**

It is considered unlikely that the site contains significant habitat for the threatened species listed in Table 3-3.

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However, the habitat in the dam on 'View Hill', may be suited to breeding of GGF despite the absence of emergent vegetation, the relatively high turbidity of the water and the general absence of fringing vegetation. No frogs, other than the Common Froglet *Crinia signifera* were heard during the site assessment. In its present state, Wades Creek may provide marginal habitat for Dwarf Galaxias. It may also contribute to Australian Grayling habitat further down stream. However the current contribution Wades Creek makes to the sustainable conservation of both these species of fish is considered marginal given the current quality of the habitat.

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## 5 Recommendations

An assessment of the drain on the site for Dwarf Galaxias and Australian Grayling is not considered to be essential however such an assessment is required in order to meet the requirements of DPO5. Such an assessment is best carried out at any time outside the breeding season (May – October)

There is potential for GGF to utilise the marginal habitat of the dam on the site. An assessment to determine the presence and significance of the site to GGF should be carried out in October – November 2011.

The conservation values of the remnant Swamp Scrub below the dam could be greatly improved by supplementary revegetation and intensive weed control.

The removal of the low lying shallow saturated area in the Stockdale property is not considered to significantly reduce the biodiversity values of the site particularly if it is replaced by an on site storm water management system. The incorporation of the drain and Wades Creek into such a water treatment facility which includes extensive revegetation would greatly improve the contribution the site makes to sustainable biodiversity conservation.

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**6 References**

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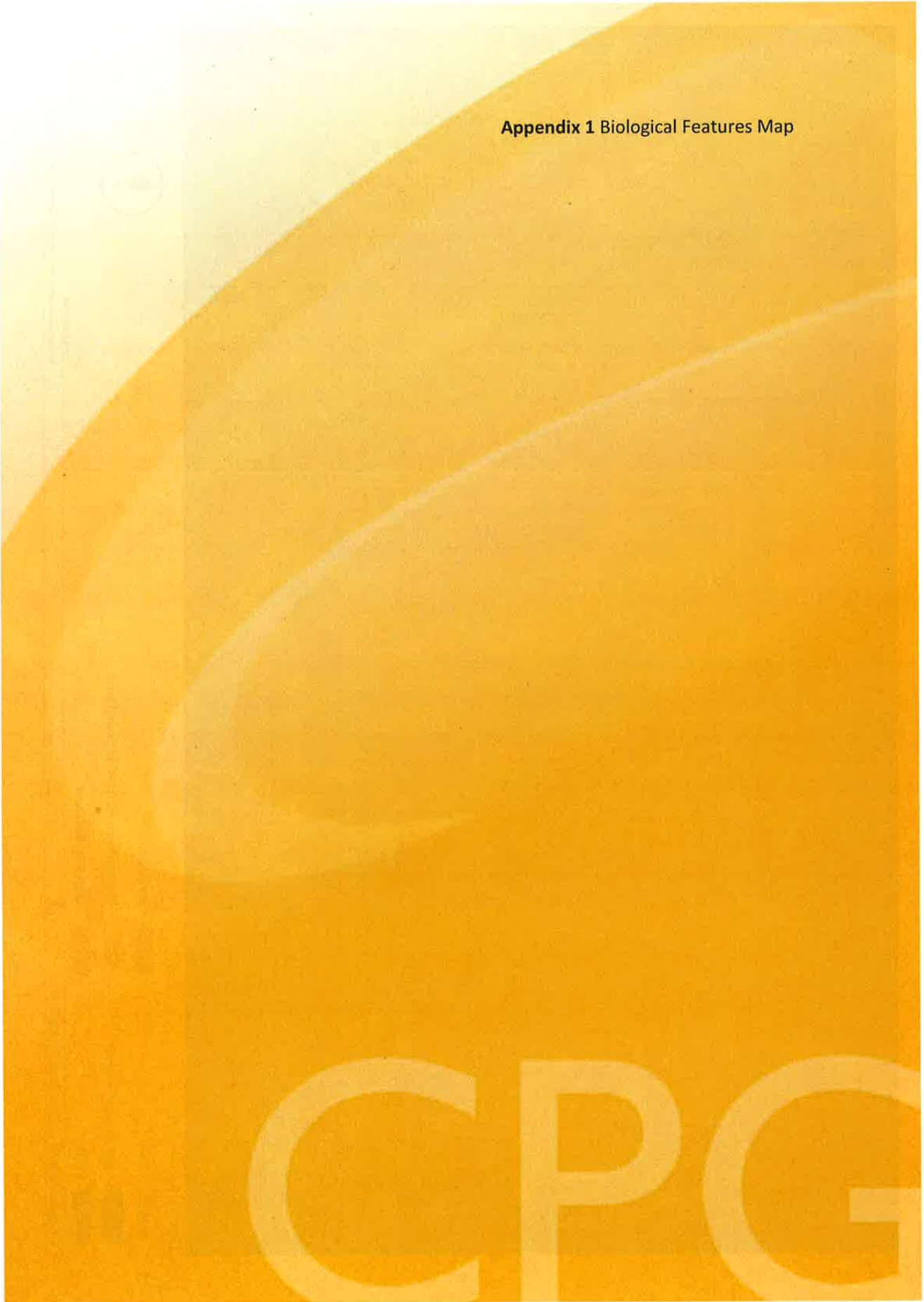
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**Appendix 1 Biological Features Map**





Legend

- Drain
- Area Prone to Flooding
- Dam
- Plantation
- Remnant Patch (HZ1) EVC 53 Swamp Scrub
- Large River Red Gums

Ecological Features - Crosses Road, Traralgon



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## Just-a-Minute Plants - Regional List

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F	A	V	O	Species Name	Common Name	Recorded on site
				<i>Acacia dealbata</i>	Silver Wattle	
			#	<i>Acacia longifolia</i>	Sallow Wattle	
			#	<i>Acacia longifolia</i> subsp. <i>longifolia</i>	Sallow Wattle	
				<i>Acacia mearnsii</i>	Black Wattle	✓
				<i>Acacia melanoxylon</i>	Blackwood	✓
				<i>Acacia verticillata</i>	Prickly Moses	
				<i>Acaena echinata</i>	Sheep's Burr	
				<i>Acaena novae-zelandiae</i>	Bidgee-widgee	
				<i>Acaena ovina</i>	Australian Sheep's Burr	
			*	<i>Agapanthus praecox</i> subsp. <i>orientalis</i>	Agapanthus	
			*	<i>Agrostis capillaris</i>	Brown-top Bent	✓
			*	<i>Aira cupaniana</i>	Quicksilver Grass	
			*	<i>Aira elegantissima</i>	Delicate Hair-grass	
				<i>Alisma plantago-aquatica</i>	Water Plantain	
				<i>Allocasuarina littoralis</i>	Black Sheoak	
				<i>Alternanthera denticulata</i>	Lesser Joyweed	
				<i>Amphibromus nervosus</i>	Common Swamp Wallaby-grass	
				<i>Amyema pendula</i>	Drooping Mistletoe	
			*	<i>Anagallis arvensis</i>	Pimpernel	✓
			*	<i>Anthoxanthum odoratum</i>	Sweet Vernal-grass	✓
			*	<i>Arctotheca calendula</i>	Cape Weed	✓
			*	<i>Arrhenatherum elatius</i> var. <i>bulbosum</i>	False Oat-grass	
				<i>Arthropodium strictum</i>	Chocolate Lily	
			*	<i>Asparagus asparagoides</i>	Bridal Creeper	✓
			*	<i>Atriplex prostrata</i>	Hastate Orache	
				<i>Austrodanthonia caespitosa</i>	Common Wallaby-grass	
				<i>Austrodanthonia racemosa</i> var. <i>racemosa</i>	Slender Wallaby-grass	
				<i>Austrodanthonia setacea</i>	Bristly Wallaby-grass	
				<i>Austrostipa bigeniculata</i>	Kneed Spear-grass	
				<i>Austrostipa mollis</i>	Supple Spear-grass	
				<i>Austrostipa rudis</i>	Veined Spear-grass	
				<i>Austrostipa scabra</i>	Rough Spear-grass	
				<i>Austrostipa semibarbata</i>	Fibrous Spear-grass	
			*	<i>Avena fatua</i>	Wild Oat	
				<i>Azolla filiculoides</i>	Pacific Azolla	
			*	<i>Barbarea intermedia</i>	Wintercress	
			*	<i>Bellis perennis</i>	English Daisy	✓
				<i>Billardiera mutabilis</i>	Common Apple-berry	
				<i>Bossiaea prostrata</i>	Creeping Bossiaea	
			*	<i>Briza maxima</i>	Large Quaking-grass	
			*	<i>Briza minor</i>	Lesser Quaking-grass	
			*	<i>Bromus catharticus</i>	Prairie Grass	✓
			*	<i>Bromus diandrus</i>	Great Brome	
				<i>Burchardia umbellata</i>	Milkmaids	
				<i>Caesia calliantha</i>	Blue Grass-lily	

		*	<i>Callitriche stagnalis</i>	Common Water-starwort	
			<i>Carex appressa</i>	Tall Sedge	✓
			<i>Carex breviculmis</i>	Common Grass-sedge	
			<i>Carex inversa</i>	Knob Sedge	
			<i>Carex polyantha</i>	River Sedge	
			<i>Cassinia aculeata</i>	Common Cassinia	
			<i>Cassinia longifolia</i>	Shiny Cassinia	
		*	<i>Centaurium erythraea</i>	Common Centaury	✓
		*	<i>Centaurium tenuiflorum</i>	Slender Centaury	
			<i>Centella cordifolia</i>	Centella	
			<i>Centipeda cunninghamii</i>	Common Sneezeweed	
			<i>Centipeda minima</i>	Spreading Sneezeweed	
		*	<i>Chamaecytisus palmensis</i>	Tree Lucerne	✓
		*	<i>Chenopodium album</i>	Fat Hen	
		*	<i>Chenopodium murale</i>	Sowbane	
			<i>Chenopodium pumilio</i>	Clammy Goosefoot	
			<i>Chrysocephalum semipapposum</i>	Clustered Everlasting	
		*	<i>Cicendia filiformis</i>	Slender Cicendia	
		*	<i>Cirsium vulgare</i>	Spear Thistle	✓
		*	<i>Conyza primulaefolia</i>	Rough Conyza	
		*	<i>Conyza bonariensis</i>	Flax-leaf Fleabane	✓
		*	<i>Cortaderia selloana</i>	Pampas Grass	
		*	<i>Cotoneaster franchetii</i>	Grey Cotoneaster	
		*	<i>Cotoneaster glaucophyllus</i> var. <i>serotinus</i>	Large-leaf Cotoneaster	
		*	<i>Cotula coronopifolia</i>	Water Buttons	✓
f	e		<i>Craspedia canens</i>	Grey Billy-buttons	
			<i>Crassula helmsii</i>	Swamp Crassula	
		*	<i>Crataegus monogyna</i>	Hawthorn	✓
		*	<i>Crocoshmia X crocosmiiflora</i>	Montbretia	
			<i>Cynodon dactylon</i>	Couch	✓
		*	<i>Cynodon dactylon</i> var. <i>dactylon</i>	Couch	
		*	<i>Cynosurus cristatus</i>	Crested Dog's-tail	
		*	<i>Cyperus eragrostis</i>	Drain Flat-sedge	✓
		*	<i>Dactylis glomerata</i>	Cocksfoot	✓
		*	<i>Daucus carota</i>	Carrot	
			<i>Daviesia latifolia</i>	Hop Bitter-pea	
			<i>Deyeuxia quadriseta</i>	Reed Bent-grass	
	E	e	<i>Dianella amoena</i>	Matted Flax-lily	
			<i>Dianella longifolia</i>	Pale Flax-lily	
			<i>Dianella revoluta</i> s.l.	Black-anther Flax-lily	
			<i>Dichelachne crinita</i>	Long-hair Plume-grass	
			<i>Dichelachne rara</i>	Common Plume-grass	
			<i>Dichondra repens</i>	Kidney-weed	✓
			<i>Dillwynia cinerascens</i>	Grey Parrot-pea	
			<i>Dillwynia sericea</i>	Showy Parrot-pea	
			<i>Drosera peltata</i>	Pale Sundew	
			<i>Drosera peltata</i> subsp. <i>auriculata</i>	Tall Sundew	
		*	<i>Echinochloa crus-galli</i>	Barnyard Grass	
		*	<i>Echium plantagineum</i>	Paterson's Curse	

		*	<i>Ehrharta erecta</i> var. <i>erecta</i>	Panic Veldt-grass	✓
		*	<i>Ehrharta longiflora</i>	Annual Veldt-grass	
			<i>Einadia hastata</i>	Saloop	
			<i>Einadia nutans</i> subsp. <i>nutans</i>	Nodding Saltbush	
			<i>Elatine gratioloides</i>	Waterwort	
			<i>Eleocharis acuta</i>	Common Spike-sedge	
			<i>Eleocharis sphacelata</i>	Tall Spike-sedge	✓
			<i>Elymus scaber</i> var. <i>scaber</i>	Common Wheat-grass	
			<i>Epacris impressa</i>	Common Heath	
			<i>Epilobium billardierianum</i>	Variable Willow-herb	
			<i>Epilobium hirtigerum</i>	Hairy Willow-herb	
			<i>Eragrostis brownii</i>	Common Love-grass	
			<i>Eucalyptus angophoroides</i>	Apple Box	
			<i>Eucalyptus bridgesiana</i>	But But	
			<i>Eucalyptus camaldulensis</i>	River Red Gum	✓
			<i>Eucalyptus melliodora</i>	Yellow Box	✓
			<i>Eucalyptus microcarpa</i>	Grey Box	✓
			<i>Eucalyptus ovata</i>	Swamp Gum	
			<i>Eucalyptus radiata</i>	Narrow-leaf Peppermint	
			<i>Eucalyptus radiata</i> subsp. <i>radiata</i>	Narrow-leaf Peppermint	
			<i>Eucalyptus tereticornis</i> subsp. <i>mediana</i>	Gippsland Red-gum	
			<i>Eucalyptus viminalis</i>	Manna Gum	✓
			<i>Eucalyptus viminalis</i> subsp. <i>viminalis</i>	Manna Gum	
			<i>Euchiton involucratus</i>	Star Cudweed	
			<i>Euchiton sphaericus</i>	Annual Cudweed	
		*	<i>Euphorbia peplus</i>	Petty Spurge	
			<i>Exocarpos cupressiformis</i>	Cherry Ballart	
			<i>Gahnia radula</i>	Thatch Saw-sedge	
		*	<i>Gamochaeta purpurea</i>	Purple Cudweed	
		*	<i>Geranium dissectum</i>	Cut-leaf Crane's-bill	
		*	<i>Gladiolus undulatus</i>	Wild Gladiolus	
			<i>Glyceria australis</i>	Australian Sweet-grass	
			<i>Gonocarpus tetragynus</i>	Common Raspwort	
			<i>Gratiola peruviana</i>	Austral Brooklime	
			<i>Haloragis heterophylla</i>	Varied Raspwort	
			<i>Hardenbergia violacea</i>	Purple Coral-pea	
			<i>Helichrysum scorpioides</i>	Button Everlasting	
			<i>Hemarthria uncinata</i> var. <i>uncinata</i>	Mat Grass	
		*	<i>Holcus lanatus</i>	Yorkshire Fog	✓
			<i>Hypericum gramineum</i>	Small St John's Wort	
		*	<i>Hypericum perforatum</i> subsp. <i>veronense</i>	St John's Wort	
		*	<i>Hypochoeris radicata</i>	Flatweed	✓
			<i>Hypoxis hygrometrica</i>	Golden Weather-glass	
	k		<i>Hypsela tridens</i>	Hypsela	
		*	<i>Iris germanica</i>	German Iris	
			<i>Isolepis cernua</i>	Nodding Club-sedge	
			<i>Isolepis inundata</i>	Swamp Club-sedge	
		*	<i>Isolepis levynsiana</i>	Tiny Flat-sedge	
		*	<i>Ixia polystachya</i>	Variable Ixia	
			<i>Joycea pallida</i>	Silvertop Wallaby-grass	

			<i>Juncus amabilis</i>	Hollow Rush	
		*	<i>Juncus articulatus</i>	Jointed Rush	
			<i>Juncus australis</i>	Austral Rush	✓
			<i>Juncus bufonius</i>	Toad Rush	
		*	<i>Juncus capitatus</i>	Capitate Rush	
			<i>Juncus gregiflorus</i>	Green Rush	
			<i>Juncus holoschoenus</i>	Joint-leaf Rush	
			<i>Juncus homalocaulis</i>	Wiry Rush	
			<i>Juncus pallidus</i>	Pale Rush	
			<i>Juncus pauciflorus</i>	Loose-flower Rush	
			<i>Juncus planifolius</i>	Broad-leaf Rush	
			<i>Juncus procerus</i>	Tall Rush	
			<i>Juncus sarophorus</i>	Broom Rush	
			<i>Juncus subsecundus</i>	Finger Rush	✓
		*	<i>Juncus tenuis</i>	Slender Rush	
			<i>Juncus vaginatus</i>	Clustered Rush	
			<i>Kennedia prostrata</i>	Running Postman	
			<i>Kunzea ericoides</i> spp. agg.	Burgan	
			<i>Lachnagrostis filiformis</i>	Common Blown-grass	
	r		<i>Lachnagrostis punicea</i>	Purple Blown-grass	
		*	<i>Lactuca serriola</i>	Prickly Lettuce	✓
			<i>Lemna disperma</i>	Common Duckweed	
		*	<i>Leontodon taraxacoides</i> subsp. <i>taraxacoides</i>	Hairy Hawkbit	
		*	<i>Lepidium africanum</i>	Common Peppercross	✓
			<i>Lepidosperma filliforme</i>	Common Rapier-sedge	
			<i>Lepidosperma gunnii</i>	Slender Sword-sedge	
			<i>Lepidosperma laterale</i>	Variable Sword-sedge	
			<i>Leptorhynchus tenuifolius</i>	Wiry Buttons	
			<i>Leptospermum continentale</i>	Prickly Tea-tree	
			<i>Lilaeopsis polyantha</i>	Australian Lilaeopsis	
			<i>Limosella australis</i>	Austral Mudwort	
			<i>Linum marginale</i>	Native Flax	
		*	<i>Linum trigynum</i>	French Flax	
			<i>Lobelia pratioides</i>	Poison Lobelia	
		*	<i>Lolium perenne</i>	Perennial Rye-grass	✓
			<i>Lomandra filiformis</i>	Wattle Mat-rush	
			<i>Lomandra filiformis</i> subsp. <i>coriacea</i>	Wattle Mat-rush	
			<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	
			<i>Lomandra longifolia</i> subsp. <i>longifolia</i>	Spiny-headed Mat-rush	
		*	<i>Lotus subbiflorus</i>	Hairy Bird's-foot Trefoil	
			<i>Luzula meridionalis</i>	Common Woodrush	
			<i>Lythrum hyssopifolia</i>	Small Loosestrife	
		*	<i>Malva neglecta</i>	Dwarf Mallow	
			<i>Melaleuca armillaris</i>	Honey Myrtle	✓
			<i>Melaleuca ericifolia</i>	Swamp Paperbark	✓
			<i>Melaleuca parvistaminea</i>	Rough-barked Honey-myrtle	
		*	<i>Mentha pulegium</i>	Pennyroyal	
			<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping Grass	
			<i>Microtis parviflora</i>	Slender Onion-orchid	
			<i>Microtis unifolia</i>	Common Onion-orchid	

		<i>Myriophyllum crispatum</i>	Upright Water-milfoil	
	*	<i>Nasturtium officinale</i>	Watercress	✓
		<i>Notodanthonia semiannularis</i>	Wetland Wallaby-grass	
	*	<i>Nymphaea alba</i>	White Waterlily	
		<i>Opercularia ovata</i>	Broad-leaf Stinkweed	
	*	<i>Oxalis corniculata</i>	Creeping Wood-sorrel	
		<i>Oxalis exilis</i>	Shady Wood-sorrel	
	*	<i>Oxalis incarnata</i>	Pale Wood-sorrel	
		<i>Oxalis perennans</i>	Grassland Wood-sorrel	
		<i>Ozothamnus ferrugineus</i>	Tree Everlasting	
	*	<i>Parapholis strigosa</i>	Slender Barb-grass	
	*	<i>Parentucellia viscosa</i>	Yellow Bartsia	
	*	<i>Paspalum dilatatum</i>	Paspalum	✓
	*	<i>Paspalum distichum</i>	Water Couch	✓
	*	<i>Pennisetum clandestinum</i>	Kikuyu	✓
		<i>Pentapogon quadrifidus</i> var. <i>quadrifidus</i>	Five-awned Spear-grass	
		<i>Persicaria decipiens</i>	Slender Knotweed	✓
		<i>Persicaria hydropiper</i>	Water Pepper	
		<i>Persicaria lapathifolia</i>	Pale Knotweed	
		<i>Persicaria prostrata</i>	Creeping Knotweed	
	*	<i>Phalaris aquatica</i>	Toowoomba Canary-grass	✓
		<i>Phragmites australis</i>	Common Reed	✓
		<i>Pimelea curviflora</i>	Curved Rice-flower	
		<i>Pimelea humilis</i>	Common Rice-flower	
	*	<i>Pinus radiata</i>	Radiata Pine	✓
	*	<i>Plantago coronopus</i>	Buck's-horn Plantain	✓
	*	<i>Plantago lanceolata</i>	Ribwort	✓
	*	<i>Plantago major</i>	Greater Plantain	
		<i>Plantago varia</i>	Variable Plantain	
	*	<i>Poa annua</i>	Annual Meadow-grass	
		<i>Poa clelandii</i>	Noah's Ark	
		<i>Poa labillardierei</i>	Common Tussock-grass	
		<i>Poa morrisii</i>	Soft Tussock-grass	
		<i>Poa sieberiana</i>	Grey Tussock-grass	
		<i>Poa sieberiana</i> var. <i>sieberiana</i>	Grey Tussock-grass	
	*	<i>Polygonum aviculare</i>	Prostrate Knotweed	
	*	<i>Polypogon monspeliensis</i>	Annual Beard-grass	
		<i>Poranthera microphylla</i> s.l.	Small Poranthera	
		<i>Portulaca oleracea</i>	Common Purslane	
		<i>Potamogeton tricarlinatus</i> s.l.	Floating Pondweed	
	*	<i>Prunella vulgaris</i>	Self-heal	
		<i>Pseudognaphalium luteoalbum</i>	Jersey Cudweed	
		<i>Pteridium esculentum</i>	Austral Bracken	
		<i>Ranunculus amphitrichus</i>	Small River Buttercup	
		<i>Ranunculus lappaceus</i>	Australian Buttercup	
	*	<i>Ranunculus repens</i>	Creeping Buttercup	✓
	*	<i>Raphanus raphanistrum</i>	Wild Radish	✓
	*	<i>Romulea rosea</i>	Onion Grass	✓
	*	<i>Rosa rubiginosa</i>	Sweet Briar	✓

		*	<i>Rubus anglocandicans</i>	Blackberry	
		*	<i>Rubus fruticosus</i> spp. agg.	Blackberry	✓
			<i>Rubus parvifolius</i>	Small-leaf Bramble	
		*	<i>Rubus polyanthemus</i>	Blackberry	
		*	<i>Rumex conglomeratus</i>	Clustered Dock	✓
		*	<i>Rumex crispus</i>	Curled Dock	✓
			<i>Schoenus apogon</i>	Common Bog-sedge	
			<i>Schoenus lepidosperma</i>	Slender Bog-sedge	
			<i>Senecio biserratus</i>	Jagged Fireweed	
			<i>Senecio glomeratus</i>	Annual Fireweed	
			<i>Senecio hispidulus</i>	Rough Fireweed	
		*	<i>Senecio jacobaea</i>	Ragwort	
			<i>Senecio minimus</i>	Shrubby Fireweed	
			<i>Senecio quadridentatus</i>	Cotton Fireweed	
		*	<i>Silene gallica</i>	French Catchfly	
		*	<i>Silybum marianum</i>	Variegated Thistle	
		*	<i>Sisyrinchium iridifolium</i>	Striped Rush-leaf	
		*	<i>Solanum nigrum</i>	Black Nightshade	✓
		*	<i>Sonchus asper</i>	Rough Sow-thistle	
		*	<i>Sonchus oleraceus</i>	Common Sow-thistle	✓
		*	<i>Sporobolus africanus</i>	Rat-tail Grass	✓
			<i>Styloidium armeria</i>	Common Triggerplant	
			<i>Styloidium despectum</i>	Small Triggerplant	
			<i>Styloidium graminifolium</i> s.l.	Grass Triggerplant	
			<i>Themeda triandra</i>	Kangaroo Grass	
			<i>Tricoryne elatior</i>	Yellow Rush-lily	
		*	<i>Trifolium angustifolium</i> var. <i>Angust</i>	Narrow-leaf Clover	
		*	<i>Trifolium dubium</i>	Suckling Clover	
		*	<i>Trifolium fragiferum</i> var. <i>fragiferum</i>	Strawberry Clover	
		*	<i>Trifolium repens</i> var. <i>repens</i>	White Clover	✓
			<i>Triglochin procera</i>	Common Water-ribbons	
			<i>Triglochin striata</i>	Streaked Arrowgrass	
			<i>Typha domingensis</i>	Narrow-leaf Cumbungi	✓
		*	<i>Vellereophyton dealbatum</i>	White Cudweed	
			<i>Veronica gracilis</i>	Slender Speedwell	
		*	<i>Vicia sativa</i>	Common Vetch	
		*	<i>Vicia sativa</i> subsp. <i>nigra</i>	Narrow-leaf Vetch	
			<i>Villarsia reniformis</i>	Running Marsh-flower	
		*	<i>Vulpia bromoides</i>	Squirrel-tail Fescue	✓
			<i>Wahlenbergia communis</i>	Tufted Bluebell	
			<i>Wahlenbergia gracilis</i>	Sprawling Bluebell	
			<i>Wahlenbergia gymnoclada</i>	Naked Bluebell	
			<i>Wahlenbergia multicaulis</i>	Branching Bluebell	
		*	<i>Watsonia meriana</i>	Bugle Lily	
			<i>Xanthorrhoea minor</i> subsp. <i>lutea</i>	Small Grass-tree	

**Appendix 3 Fauna List**

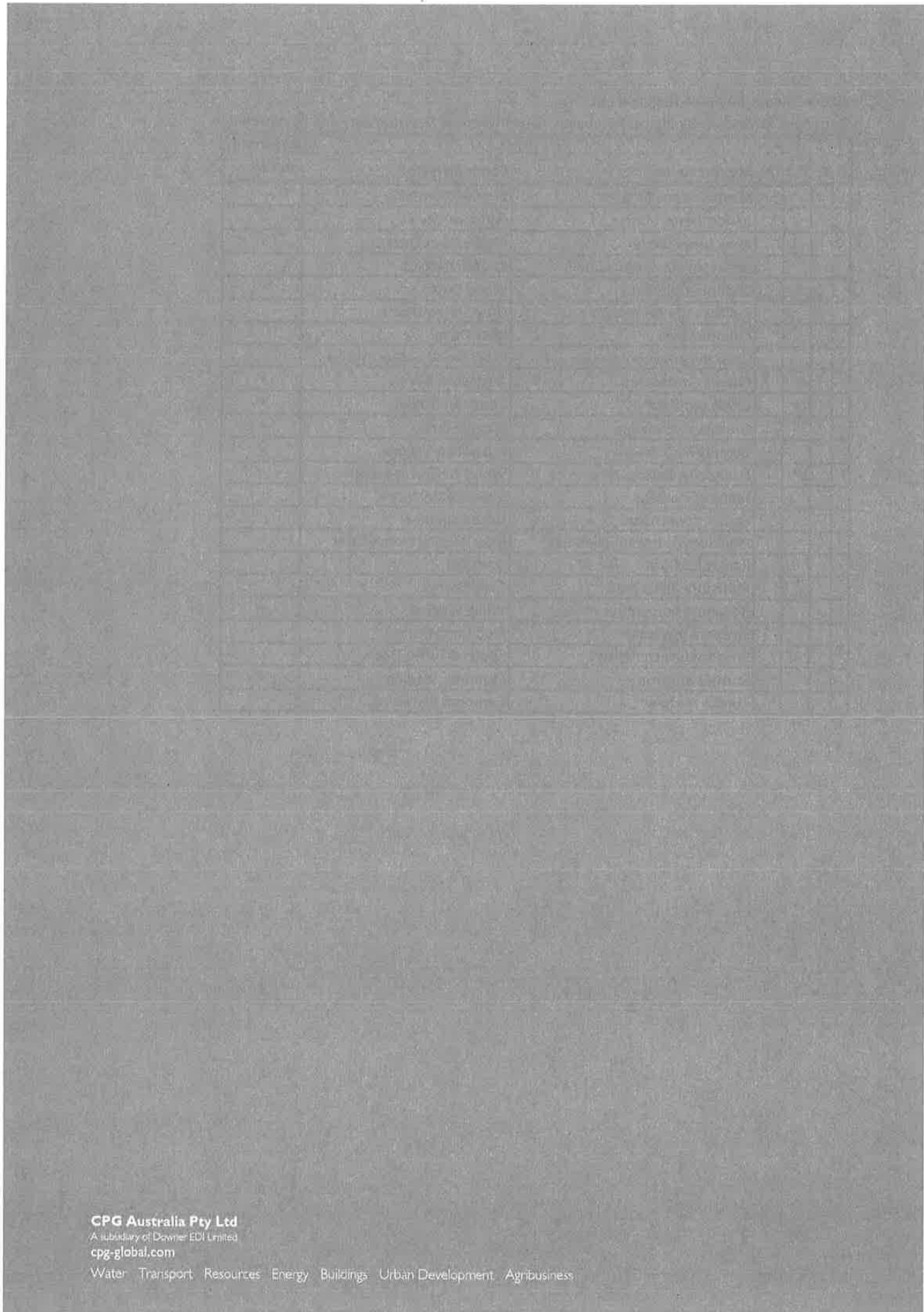
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## Just-a-Minute Animals - Regional List

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F	A	V	D	Species Name	Common Name	Recorded on site
				<i>Acanthiza pusilla</i>	Brown Thornbill	
			*	<i>Acridotheres tristis</i>	Common Myna	✓
				<i>Anas superciliosa</i>	Pacific Black Duck	✓
				<i>Anthochaera carunculata</i>	Red Wattlebird	
				<i>Chenonetta jubata</i>	Wood Duck	✓
				<i>Colluricincla harmonica</i>	Grey Shrike-thrush	
			*	<i>Columba livia</i>	Rock Dove	
				<i>Coracina novaehollandiae</i>	Black-faced Cuckoo-shrike	
				<i>Corvus coronoides</i>	Australian Raven	✓
				<i>Crinia signifera</i>	Common froglet	✓
				<i>Grallina cyanoleuca</i>	Magpie-lark	✓
				<i>Gymnorhina tibicen</i>	Australian Magpie	✓
f		v		<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	
				<i>Malurus cyaneus</i>	Superb Fairy-wren	
			*	<i>Passer domesticus</i>	House Sparrow	
				<i>Phylidonyris novaehollandiae</i>	New Holland Honeyeater	
				<i>Rattus fuscipes</i>	Bush Rat	
				<i>Rhipidura albiscarpa</i>	Grey Fantail	
				<i>Rhipidura leucophrys</i>	Willie Wagtail	✓
				<i>Strepera graculina</i>	Pied Currawong	
			*	<i>Streptopelia chinensis</i>	Spotted Turtle-Dove	
			*	<i>Sturnus vulgaris</i>	Common Starling	✓
			*	<i>Turdus merula</i>	Common Blackbird	





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Water Transport Resources Energy Buildings Urban Development Agribusiness



**Growling Grass Frog**  
Targeted Survey  
Cross' Road, Traralgon

23 February 2012  
Prepared by CPG Australia

CPG



**GGF Targeted Survey**  
Crosses Road, Traralgon

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**Acknowledgements and Recognition**

Paul Kelly & Associates/CPG Australia – Ecological Assessment 2011

<b>Issue Date</b>	<b>Revision No</b>	<b>Author</b>	<b>Checked</b>	<b>Approved</b>
7 February 2012	01	JB	PCK	
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**GGF Targeted Survey**  
Crosses Road, Traralgon

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**GGF Targeted Survey**  
Crosses Road, Traralgon



## **1 Introduction**

### **1.1 Project Background**

CPG Australia was commissioned by IGB Pty Ltd to conduct a Growling Grass Frog (GGF) Targeted Survey within the Subject Site located at Cross' Road, Traralgon. This report outlines the findings of the Targeted Survey.

### **1.2 Objectives**

The objectives were to:

- Carry out a targeted survey for Growling Grass Frog on the site; and
- Determine the likelihood of GGF utilising the site and the need for a Conservation Management Plan and/or a referral to the Federal Government, dependent on findings.

### **1.3 Study Site**

The subject site contains land captured by the Development Plan Overlay (DPO5) of the Latrobe City Planning Scheme on the corner of Cross' Road and Tyers Road, Traralgon. The DPO captures two adjoining farming properties and a large lot rural residential subdivision associated with Ashworth Drive. The Targeted Survey is to be carried out within the property 'View Hill' (Lot 1 PS 424148C). This property is approximately 33 hectares in area and is a working dairy farm.

The majority of the site is zoned Residential 1 with a Development Plan Overlay (DPO5). DPO5 contains specific requirements for flora and fauna namely: *In consultation with the Department of Sustainability and Environment, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species surveys for Growling Grass Frog (Litoria raniformis) and measures required to protect the identified species.*

The waterway that enters the Subject site in the south east corner drains storm water and at times, sand filter discharge from the adjoining residential development. The storm water discharges into a clearly defined open drain and discharges into a dam on the drainage line. Discharge from the dam enters the upper reach of Wades Creek which at this point contains a variety of exotic and native overstorey vegetation. This creek ultimately discharges into the property east of the site. This creek flows through adjoining land and eventually flows into Traralgon Creek. The dam has a pressure pump installed on it that services the nearby dairy.

The GGF survey site is the dam on Wades Creek (Refer to Appendix 1 – Site Map). CPG (2011) concluded that the habitat in the dam on 'View Hill', may be suited to breeding of GGF despite the absence of emergent vegetation, the relatively high turbidity of the water and the general absence of fringing vegetation. No frogs, other than the Common Froglet *Crinia signifera* were heard during that site assessment.

GGF Targeted Survey  
Crosses Road, Traralgon



The Subject site is within the Latrobe City Council local government area and the Gippsland Plain Bioregion.

## 2 Methods

### 2.1 Literature and Database Review

The literature and database review included;

- The flora Information System (FIS);
- The DSE Biodiversity Interactive Map;
- The EPBC protected matters search tool, using a 5km radius search;
- Ecological Assessment, CPG Australia July 2011

### 2.2 Growling Grass Frog Survey

Growling Grass Frog surveys were carried out on 27 and 29 December 2011 in accordance with the DSE prescribed methodology (DSE2010).

This method predominately uses vocal playback to detect the presence of the species. It is carried out during the mating period of the frog and presence is confirmed by observation using spotlights and diurnal surveys.

Water quality was also assessed and included pH, dissolved oxygen, electrical conductivity, temperature and salinity.

### 2.3 Survey Results

The results of the GGF survey are tabled below.

Table 2-1 GGF Habitat at Survey Site

Data	Creek line
Australian Map Grid co-ordinates	GDA94 MGA 55:457090, 5774980.
Area of site	Dam at the Creekline
Percentage cover of (100%):	(%)
emergent vegetation	5
submerged vegetation	6
floating vegetation	4
fringing vegetation	15
terrestrial vegetation	70
Presence of surrounding terrestrial refuge sites	Refuge terrestrial sites available within the creek-line downstream, general debris.
Water level	High
Water chemistry	Medium to low health
Type of surrounding habitat within 30 metres of site.	The creekline below the dam contains modified overstorey of mature Swamp Paperbark <i>Melaleuca ericifolia</i> with several Black Wattle <i>Acacia mearnsii</i> and

GGF Targeted Survey  
Crosses Road, Traralgon



Data	Creek line
	the occasional Blackwood <i>Acacia melanoxylon</i> . The understorey is dominated by exotic plants including Willow <i>Salix</i> spp, Blackberry <i>Rubus fruticosus</i> sp.agg. Kikuyu <i>Pennisetum clandestinum</i> and other exotic grasses.
Presence and overall abundance of aquatic and terrestrial predators	Considered medium due to surrounding agricultural & residential land (encouraging foxes/cats and dogs). Mosquito Fish are likely to be present.
Potential dispersal routes and linked habitat	Considered possible. Wades Creek drains into Traralgon Creek

Table 2-2 - GGF Targeted Survey results

Survey Data	Results	
	Site Visit 1	Site Visit 2
Date	27 <sup>th</sup> Dec 2011	29 <sup>th</sup> Dec 2011
Time	5pm-10.30pm	7pm-10.30pm
<b>Weather Conditions</b>		
High temperature	20.4 °C	25.0 °C
Low temperature	13.2 °C	10.0 °C
Description of conditions	Scattered showers during the day. Minimal cloud cover. Heavy rainfall the day before.	Medium cloud cover, scattered showers in the morning, clearing in the afternoon.
Wind speed and direction	WSW, 20km/h	SW, 7km/h
Temperature	20 °C	21 °C
Relative Humidity	45%	53%
Cloud cover	0/8	0/8
Precipitation†	0.0mm (12.2mm previous day)	0mm (0.0mm previous day)
Last rain†	26 <sup>th</sup> Dec 2011	26 <sup>th</sup> Dec 2011
Moon Phase	Waning Crescent	Waning Crescent
<b>Survey Activities (Diurnal)</b>		
Ground level habitat, rock rolling and vegetation	Undertaken, no frogs observed	Undertaken, no frogs observed
Search for tadpoles and metamorphs in areas of standing water	Undertaken, no metamorphs observed.	Undertaken, no metamorphs observed.
<b>Survey Activities (Nocturnal)</b>		
Quiet listening	1.45hr dam, 1.45hr	1.45hr dam, 1.45hr



GGF Targeted Survey  
Crosses Road, Traralgon



Survey Data	Results	
	Site Visit 1	Site Visit 2
	Creek	Creek
Recorded male calls	Intermittent broadcast during survey period	Intermittent broadcast during survey period
Spotlighting	20min dam, 20 min dam	20min dam, 20 min dam
<b>Frog species recorded</b>		
Growling Grass Frog <i>Litoria raniformis</i>	No, None	Not in dam on subject site.
Spotted Marsh Frog <i>Limnodynastes tasmaniensis</i>	No, None	No, None
Common Froglet <i>Crinia signifera</i>	Yes only two	Yes, one
Pobblebonk Frog <i>Limnodynastes dumerilii</i>	No, None	No None

† Data from Latrobe Valley Daily Observations

#### 2.4

##### Water Chemistry Analysis

The basic water chemistry analysis was undertaken on the south eastern corner of the Subject site within the dam off the creekline (Appendix 1).

Water Test	Results	Preferred Benchmark Results
Dissolved Oxygen	8.4ppm	9ppm or greater
Conductivity/Total Dissolved Solids	112uS	0-2500 uS
pH	8.1	6.5-8.5
Turbidity	51.9NTU	5NTU or less
Temperature	18 degrees	18 degrees or less

Water test results indicate the dam is considered a relatively unhealthy waterway according to the ANZECC and ARMCANZ 2000 and Melbourne Water guidelines (Refer to Appendix 2 Water Chemistry Analysis). Turbidity was considerably higher than the recommended indicators for a healthy waterway, most likely due to the ongoing storm water discharge from the adjoining residential development and agricultural land as well as the inefficiency of the saturated depression upstream.

No GGF were recorded on the Subject site. The closest known records according to the DSE Biodiversity Interactive Website, are 5-8km away to the north and south of the Subject site with 13 records recorded in 1968. Considering the significant changes to landuse history and encroaching urban development since the last known records, it is considered of low likelihood that GGF utilise the site

**GGF Targeted Survey**  
Crosses Road, Traralgon



as a dispersal corridor. No GGF were recorded on the Subject Site and none are expected to inhabit the site.

---

**3 Conclusion/Recommendations**

It is expected the vegetation quality on the site will continue to decrease with current land use and maintenance practices (dairy farm, heavy grazing), increase in rainfall and absence of weed management.  
No GGF were recorded onsite during the Targeted Survey and none are expected to utilise the dam.  
The need for an EPBC referral to DSEWPC for Growling Grass Frog is not considered necessary. However any proposed development should ensure Water Sensitive Urban Design (WSUD) principles are implemented to reduce the impact of development to the associated waterbody.

---

**4 References**

CPG 2011 **Ecological Assessment Cross' Road, Traralgon**. CPG Australia July 2011.

DSE 2004 **Native Vegetation – Guide for assessment of referred planning permit applications**. Department of Sustainability & Environment, Melbourne.

DSE 2010 **Biodiversity Precinct Structure Planning Kit**. Department of Sustainability & Environment, Melbourne.





Legend

-  Drain
-  Area Prone to Flooding
-  Dam
-  Plantation
-  Remnant Patch (HZ1) EVC 53 Swamp Scrub
-  Large River Red Gums



## Appendix 2 – Water Chemistry Analysis

### 1.1

#### Electrical Conductivity & Total Dissolved Solids

Conductivity is a measure of the amount of dissolved salts in water, and therefore an indicator of salinity. In fresh water, low conductivity indicates a preferred environment for a healthy ecosystem with lower nutrient levels. The higher the nutrient level the higher the conductivity.

While an appropriate concentration of salts is vital for aquatic plants and animals, salinity that is beyond the normal range for any species of organism will cause stress or even death to organisms and can also affect the availability of nutrients to plant roots.

At this time ANZECC/ARMCANZ 2000 has no current indicative normal ranges for conductivity; therefore normal ranges have been sourced from Melbourne Water and S., *Ribbons of Blue Handbook*. Scitech, Victoria, 1990, as per Table 1 below.

**Table 1:**

Water	Reading (uS/cm)
Deionised water	0.5-3
Pure rainwater	<15
Freshwater rivers	0-800
Marginal river water	800-1600
Brackish water	1600-4800
Saline water	>4800
Seawater	51 500
Industrial waters	100-10 000

Source: Suttar S., *Ribbons of Blue Handbook*. Scitech, Victoria, 1990

#### Total Dissolved Solids (TDS)

The total dissolved solids (or TDS) content of a water sample, is another measure of salinity in water which is measured by the concentration of dissolved solids. EC and TDS usually exhibit a strong correlation for a particular type of water.

ANZECC/ARMCANZ 2000 has no current indicative ranges for TDS however water quality guidelines provided by Melbourne Water (Table 2) indicate potable water ranges <1000mg/L are considered acceptable. By comparison, seawater contains about 35,000 mg/L TDS.

**Table 2:**

Range mg/l or ppm	Range EC uS/cm (mS/cm x 1000)	Score
approx. 0 - 480	0 - 800	Range for rainwater and tap water. Good drinking water for people and suitable for animals and plants.
approx. 480 - 1500	801 - 2500	A healthy level for most aquatic invertebrates and plants. Still drinkable but begins to taste salty.
approx. 1500 - 6000	2500 - 10,000	Medium to High salinity level for most freshwater sites.

**1.2 Dissolved Oxygen**

Dissolved oxygen is a measure of the quantity of oxygen present in water and is essential for life processes of most aquatic organisms. Low concentrations of dissolved oxygen usually indicate the presence of excessive organics (organic runoff) within the system, while high values can indicate excessive plant production (eutrophication). Many aquatic organisms will suffocate if there is insufficient volume of dissolved oxygen in the water.

Seasonal cycles directly correlates to dissolved oxygen levels in a waterway, for example during summer on sunnier days, in highly turbulent water, supersaturated conditions are more likely to occur, which is when water contains too much oxygen. Supersaturation is dangerous for aquatic animals as the oxygen concentration in their blood rises.

ANZECC/ARMCANZ 2000 water quality guidelines indicate that dissolved oxygen should exceed 8.0mg/L for a healthy aquatic system.

Melbourne Water have indicated that dissolved oxygen concentrations below 3 mg/L are stressful to most aquatic organisms and at least 5-6 mg/L or 9ppm or greater are required for fish growth and activity.

**1.3 pH**

pH is a measure of the acidity or alkalinity of water. Changes to pH can be caused by a range of potential water quality problems. Extremes in pH (less than 6 or greater than 9) can indicate toxicity to aquatic organisms. Most aquatic animals and plants are adaptive to pH ranges between 6 and 9.

Many freshwater systems have a pH close to 7.0, in marine waters the pH is normally close to 8.2. Table 3 indicates general guidelines for pH and water quality.

**Table 3:**

	Excellent	Good	Fair	Poor	Degraded
pH range	6.0-7.5	5.5-6 or <8.0	8.0-8.5	5.0-5.5 or 8.5-9.0	<5.0 or >9.0

ANZECC/ARMCANZ 2000 current normal guideline ranges for pH are 6.5 – 8.5.

**1.4 Temperature**

The temperature of waterways can directly affect physical, biological and chemical characteristics of the system with warm waters more susceptible to eutrophication. Oxygen is less soluble in warmer water and this can affect aquatic life in contrast salts are more soluble in warmer water, so temperature can affect the water's salinity. Temperature directly affects the metabolic rate of plants and animals. Aquatic species have evolved to live in water of specific temperatures.

ANZECC/ARMCANZ 2000 current normal guidelines for temperature include not exceeding 18 degrees.

**1.5 Turbidity**

Turbidity, measured in Nephelometric units, is influenced by the concentration of suspended matter in water (e.g Clay/Silt/Organic matter). Turbidity is a measure of the amount of scattering light and is generally related to visibility. The more suspended material in water, the greater the water's turbidity.

As suspended particles absorb heat, water temperatures rise faster in turbid water and warm water holds less dissolved oxygen than cold, helping to exacerbate eutrophication and algal blooms in waterways, which in turn inhibits the growth of submerged vegetation an important food source and habitat for the survival of *L. raniformis*.

ANZECC/ARMCANZ 2000 current normal guidelines for turbidity are (preferred measurement of 5 NTU).



FINAL REPORT:

**Residential Subdivision, Cross's Road, Traralgon, Victoria:  
Aboriginal and Historical Heritage Assessment**

HV Number: 3936  
AAV Number: N/A

CLIENT

**IGB Australia Pty Ltd**  
8 June 2012

EHP Reference: 2842



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## YOUR STATEMENT

*[The following text is extremely faint and illegible, appearing to be a form or a series of questions related to the planning scheme amendment.]*



## EXECUTIVE SUMMARY

---

### Introduction

Ecology and Heritage Partners Pty Ltd was commissioned by CPG Australia Pty Ltd, on behalf of IGB Australia Pty Ltd, to prepare an Aboriginal and Historical Heritage Assessment (AIIHA) for a proposed residential subdivision, Cross's Road, Traralgon, Victoria (Latrobe City Council) (Map 1). IGB Australia Pty Ltd is proposing to subdivide the land into approximately 300 residential allotments with associated utilities and infrastructure. The study area is approximately 80 ha in size and is bounded by Cross's Road to the south, Tyers Road to the west and private land to the north and east (Map 2).

### Methods

The assessment included both background (desktop) research and survey. Background research included a review of relevant heritage databases using a 2 km radius search area to determine the known Aboriginal and historical heritage sites in and around the study area. A review was also conducted of relevant archaeological reports and heritage studies including a desktop due diligence assessment conducted specifically for the study area (Heritage Insight 2010).

The scope of works for this assessment included a ground survey of part of the study area- Lot 1 PS424148, 240 Cross's Road, Traralgon. On the basis of the due diligence report by Heritage Insight (a report on Lots 2 and 3 PS343525 only), survey of the remainder of the study area was not part of the scope of works. The ground survey consisted of four participants, which included two representatives of the Registered Aboriginal Party (RAP) for the area, the Gunaikurnai Land and Waters Aboriginal Corporation (GLWAC), walking 5 m apart over the entire land parcel.

### Results

The background research indicated that there has been ten Aboriginal archaeological sites previously recorded within a 2 km radius of the study area (Map 5), and that there have been nine historical archaeological sites previously recorded within a 2 km radius of the study area (Map 5). No Aboriginal or historical sites were located in the study area. The background research concluded that isolated artefacts and artefact scatters were the types of Aboriginal sites most likely to occur within the study area and domestic, farming and pastoral sites were the types of historical sites most likely to occur within the study area.

Lot 1 PS424148 was surveyed on 19 April 2011 by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Mollie Harbour and Jo Verducci, with Lloyd Hood and Adrian Dow representing the GLWAC.



One Aboriginal place – 240 Cross's Road AS (8221-0182 [VAHR]) – was located on the eastern side of the 240 Cross's Road property, just below the northern ridgeline (Map 7). One of the artefacts was located on the flat ground beside the effluent dam. The location of the artefact scatter was an area of increased ground surface visibility (GSV), partially due to the runoff from the effluent dam directly above the site. A total of 30 stone artefacts were identified during the survey (two quartz and 28 silcrete) and the boundary of the visible site extent was recorded using Global Positioning System (GPS). One of the silcrete artefacts identified was a core; the remainder were flakes and debitage (Map 7).

## **SUMMARY OF MANAGEMENT RECOMMENDATIONS from page 47**

### **Aboriginal Cultural Heritage**

#### **Recommendation 1**

One previously unrecorded Aboriginal site was identified on the Stockdale property (Part of Lot 1 PS424148, 240 Cross's Road, Traralgon) during the survey (Map 7).

Under the *Aboriginal Heritage Act 2006*, an Aboriginal site is an area of cultural heritage sensitivity and triggers the need for a CHMP. As a surface survey has been conducted, subsurface testing will be required to determine the full extent, nature and significance of the site. Consequently a complex CHMP will be required for this property. The complex assessment should target the areas of Aboriginal cultural heritage likelihood identified during the survey (Map 7), with particular emphasis on the rise and ridgeline in the northern section of the property and the slight rises along the eastern property boundary and the south western side of the property, although some subsurface testing should also be conducted in the other landforms.

#### **Recommendation 2**

The desktop assessment (see also Heritage Insight 2010) indicates that there are no identified areas of cultural heritage sensitivity within the study area under the *Aboriginal Heritage Act 2006*. Consequently a mandatory CHMP is not required for the remainder of the study area. However, the ridge landform along the northern boundary of the Stockdale property continues into the Saunders property to the west (Lots 2 and 3 PS343525) and partially into Lot 6 LP126409 to the east. The presence of Aboriginal cultural heritage on this ridgeline, as shown by the site identified during the current survey and the presence of two previously recorded sites (Maryvale Cemetery 1 [VAHR 8121-0038] and Cemetery Road 1 [VAHR 8121-0039]) on the same landform to the west of the study area, strongly suggests contiguous use of the ridgeline by Aboriginal people in the past. It is recommended that, prior to any development works proceeding, that further assessment in the form of a field survey be conducted in the areas of the study area that were not surveyed during the current assessment. Survey should be conducted in the following properties:



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- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln;
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln;
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln; and
- Lots 1 to 13 LP126409, Parish of Traralgon; County of Buln Buln.

The survey may be conducted as part of an additional AHHA. However, it is recommended that the survey be conducted as part of a voluntary CHMP.

### **Historical Heritage**

#### **Recommendation 1**

No historic sites were identified within the study area during the survey, therefore no further historical investigation is recommended.

#### **Recommendation 2**

As survey of the remainder of the study area was not conducted during this assessment it is recommended that survey of the remaining land parcels be conducted prior to the implementation of any development works.



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- Gunaikurnai Land and Waters Aboriginal Corporation for assistance in the field, cultural heritage information and evaluation of the report.
- Aboriginal Affairs Victoria.
- Heritage Victoria.

---

## PROTOCOLS FOR HANDLING SENSITIVE INFORMATION

Some of the information contained within this Aboriginal and Historical Heritage Assessment (AHHA) is culturally sensitive. Before releasing the contents of this AHHA to the public, permission should be sought from the relevant authorities and communities.

*Cover Photos:* Background- View north from crest of hill; Top Right- View north, showing NW boundary of study area; Middle Left- Silcrete core from site (VAHR); Drainage channel running along northern boundary line, facing N- (photos by Ecology and Heritage Partners Pty Ltd)

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## 1 INTRODUCTION

---

### 1.1 Background and Scope of Works

Ecology and Heritage Partners Pty Ltd was commissioned by CPG Australia Pty Ltd, on behalf of IGB Australia Pty Ltd, to prepare an Aboriginal and Historical Heritage Assessment (AHHA) for the proposed residential subdivision at Cross's Road in Traralgon, Victoria, Victoria (Latrobe City Council) (Map 1, Page 51).

The project brief agreed upon by Ecology and Heritage Partners Pty Ltd and the Client is as follows:

- Review the relevant heritage databases (e.g. Victorian Aboriginal Heritage Register [VAHR] at Aboriginal Affairs Victoria [AAV], Local Government Heritage Overlays, Heritage Victoria Inventory and Register, National Trust and other relevant available literature;
- Provide a brief review of land use for the study area;
- Conduct a site assessment by a qualified Cultural Heritage Advisor to identify any Aboriginal and/or historical cultural heritage within the study area;
- Identify and provide a series of maps as required showing any Aboriginal and/or historical archaeological heritage or areas likely to contain Aboriginal and/or historical cultural heritage;
- Provide information in relation to any implications of Commonwealth and State environmental legislation and Government policy associated with the proposed development;
- Discuss any opportunities and constraints associated with the study area;
- Liaise with the key stakeholders, including the Registered Aboriginal Party (RAP) for the study area – the Gunaikurnai Land and Waters Aboriginal Corporation, local government and AAV; and
- Production of an AHHA report.

### 1.2 Location of Study area

The study area is located in Traralgon, Victoria (Latrobe City Council). The study area is approximately 80 ha in size and is bounded to the south by Cross's Road, by Tyers Road to the west, to the north by private agricultural land holdings and to the east by smaller rural landholdings fronting the western arm of Riverslea Boulevard (Map 2, Page 52).



The cadastral details of the study area are as follows:

- Part of Lot 1 PS424148; Parish of Traralgon; County of Buln Buln (240 Cross's Road, Traralgon);
- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln (80 Ashworth Drive, Traralgon);
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln (150 Tyers Road, Traralgon);
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln (150 Tyers Road, Traralgon); and
- Lot 1 LP126409, Parish of Traralgon; County of Buln Buln (120 Cross's Road, Traralgon);
- Lot 2 LP126409, Parish of Traralgon; County of Buln Buln;
- Lot 3 LP126409, Parish of Traralgon; County of Buln Buln (35 Ashworth Drive, Traralgon);
- Lot 4 LP126409, Parish of Traralgon; County of Buln Buln (45 Ashworth Drive, Traralgon);
- Lot 5 LP126409, Parish of Traralgon; County of Buln Buln;
- Part of Lot 6 LP126409, Parish of Traralgon; County of Buln Buln (75 Ashworth Drive, Traralgon);
- Lot 7 LP126409, Parish of Traralgon; County of Buln Buln (60 Ashworth Drive, Traralgon);
- Lot 8 LP126409, Parish of Traralgon; County of Buln Buln (50 Ashworth Drive, Traralgon);
- Lot 9 LP126409, Parish of Traralgon; County of Buln Buln (40 Ashworth Drive, Traralgon);
- Lot 10 LP126409, Parish of Traralgon; County of Buln Buln (30 Ashworth Drive);
- Lot 11 LP126409, Parish of Traralgon; County of Buln Buln (20 Ashworth Drive, Traralgon);
- Lot 12 LP126409, Parish of Traralgon; County of Buln Buln (16 Ashworth Drive, Traralgon); And
- Lot 13 LP126409, Parish of Traralgon; County of Buln Buln.



The three main topographic features of the study area are:

1. The unnamed drainage channel that bisects the study area, commencing near the southern boundary and flowing north eastwards to enter the larger floodplain to the north of the study area. It commences as two first order drainage lines near the southern boundary, at Cross's Road, and merges near the centre of the Stockdale property into a single drainage line and exits the study area along the north eastern boundary. The geography of the drainage line also creates a series of slopes of varying gradients. A second drainage line runs between and parallel to Ashworth Drive and Riverslea Drive, commencing near Cross's Road and flowing north to join the first drainage line on Lot 7 LP126409.
2. A long ridge line that follows the northern boundary of the study area finishing at the confluence of the drainage lines with the large floodplain to the north.
3. A spur with a northerly aspect that is located between the headwaters of the two main drainage lines.

The study area has been used for dairy farming, and has been almost completely cleared of canopy vegetation, except in the riparian corridor of the creek near the north eastern boundary. There are farm building complexes located on a spur ridge at the northern side of the study area, which is accessed by a long driveways from Cross's Road and Tyers Road bisecting the properties. Residential developments have taken place along the Ashworth Drive estate on most of the allotments (Map 2, Page 52).

### 1.3 Proposed Activity

IGB Australia Pty Ltd is proposing to rezone the land for residential subdivision. Ultimately the development will subdivide the land into approximately 300 residential allotments.

The existing creek line will be largely maintained with wetlands developed adjacent to the creek.

Under the Latrobe City Planning Scheme the study area is zoned as follows:

- Residential Zone 1 (R1Z), including the majority of the study area;
- Rural Living Zone 3 (RLZ3), properties fronting Ashworth Road;
- Public Use Zone 1 (PUZ1), currently confined to Lot 13 LP 126409; and
- Farming Zone land is located (FZ) the north western and north eastern corners.

This zoning sets out requirements which must be met by any development within the study area. The specific requirements which must be met by any development within the study area are described in Appendix 5.



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## 1.4 Name of Client

This report has been commissioned by CPG Australia Pty Ltd (ABN: 55 050 029 635) on behalf of the developer IGB Australia Pty Ltd (ABN: 12 146 318 603).

## 1.5 Name of Cultural Heritage Advisor

This report was prepared by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Rick Bullers, Anna Tuechler and Mollie Harbour. The quality assurance review was undertaken by Ecology and Heritage Partners Pty Ltd Director/Principal Heritage Advisor Oona Nicolson. The field work was undertaken by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Jo Verducci and Mollie Harbour. Mapping was provided by Ecology and Heritage Partners Pty Ltd GIS Officers, Drew Hutchinson and Amanda Feetham.

### Oona Nicolson

Oona Nicolson is a Director and the Principal Heritage Advisor at Ecology and Heritage Partners Pty Ltd. She is a heritage specialist with over 14 years experience in the archaeological consulting sector, working in Victoria, South Australia, New South Wales, and Tasmania. Oona regularly appears before VCAT and independent panels as an Expert Witness in the areas of Aboriginal and historical heritage. Oona has extensive experience in over 500 projects with a wide variety of clients.

Oona's skills include project management, peer reviews, background research and due diligence assessments, archaeological survey, sub surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, development of recommendations to mitigate the impact of development upon Aboriginal and non-Aboriginal historical heritage, flaked stone artefact and historical artefact recording and interpretation, communication and consultation with regulatory bodies (AAV and HV), clients, landowners, RAPs and community representatives, preparation of conservation management plans, expert witness statements, Permits and Consents to Disturb for Heritage Victoria, Historical Heritage Assessments and desktop, standard and complex Aboriginal CHMPs. Her formal qualifications and memberships include:

- Bachelor of Arts (Honours in Archaeology) – High Distinction (First Class), Flinders University of South Australia (1996).
- Bachelor of Arts (Australian Archaeology and Australian Studies), Flinders University of South Australia (1995).
- Maritime Archaeology Certificate: Part 1 (Part 2 pending), ATMA and NAS (U.K.).



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- Australian Association of Consulting Archaeologists Inc. (Full Member and 2010 Chairperson of Victorian Chapter).
- Victorian Planning and Environmental Law Association.

### **Rick Bullers**

Rick Bullers has worked as a heritage consultant since 2007, and has managed numerous Aboriginal and historic heritage projects for a variety of clients and developments within Victoria, NSW and SA. Projects include heritage assessments and/or excavations for linear construction projects such as pipelines, sewerage lines and transmission lines, large area heritage assessments for Greenfield developments (e.g. residential subdivision and mining operations), as well as cultural heritage assessments and cultural heritage management plans for large Department of Defence sites.

Rick has experience in a variety of tasks, including project management, peer reviews, background research and due diligence assessments, archaeological survey, sub-surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, development of recommendations to mitigate the impact of development upon Aboriginal and non-Aboriginal historical heritage, flaked stone artefact and historical artefact recording and interpretation, communication and consultation with regulatory bodies (AAV and HV), clients, landowners, RAPs and community representatives, preparation of conservation management plans, Historical Heritage Assessments and desktop, standard and complex Aboriginal CHMPs. His formal qualifications include:

- Bachelor of Applied Science (Conservation and Park Management), University of South Australia (1994).
- Graduate Diploma of Maritime Archaeology, Flinders University (2005).
- Master of Maritime Archaeology, Flinders University (2006).

### **Jo Verduci**

Jo has worked as a heritage consultant since 2008, and has managed numerous archaeological projects for a variety of clients and developments within Victoria, including residential and commercial developments, water and sewerage pipelines and proposed wind farms. She also has archaeological field experience Bronze Age Minoan culture and is currently completing her PhD.

Jo has experience in a variety of tasks, including project management, archaeological survey, sub surface testing and salvage excavation, Aboriginal and non-Aboriginal site identification, recording and photography, site significance assessment, flaked stone artefact recording, communication and consultation with clients, landowners and Aboriginal RAP and



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community representatives, and preparation of desktop, standard and complex Aboriginal CHMPs. Her formal qualifications include:

- PhD Candidate, Classics and Archaeology, University of Melbourne (current).
- Master of Arts, Classics and Archaeology, University of Melbourne, Vic (2008).
- Postgraduate Diploma in Classics and Archaeology, University of Melbourne, Vic (2004).
- Graduate Diploma in Classics and Archaeology, University of Melbourne, Vic (2002).
- Bachelor of Arts (Fashion), RMIT University, Vic (1991).

### **Mollie Harbour**

Mollie is a qualified archaeologist with over 4 years of practical experience working in Victorian Aboriginal cultural heritage management. Her Honours thesis from Latrobe University involved the examination of Victorian Aboriginal massacre site information, and an update of these archives. Mollie was employed by AAV as part of an Indigenous Cadetship program from 2007 until 2010, and from the end of 2009 was a Heritage Project Officer in AAV's Barwon-Grampians Ballarat office until 2011.

Mollie has experience in a variety of tasks including: project management; archaeological surveying; recording; photography; Aboriginal and non-Aboriginal site identification; flaked stone artefact recording and interpretation; sub surface testing. She has conducted background research; communication and consultation with regulatory bodies (AAV), heritage consultants and their sponsors, landowners, RAPs and community representatives; and has evaluated numerous Aboriginal CHMPs. Her formal qualifications include:

- Honours in Archaeology, LaTrobe University, Victoria (2009).
- Bachelor of Arts in Archaeology and History, LaTrobe University, Victoria (2008).
- Bachelor of Arts in Archaeology, Anthropology and History, University of Melbourne, Carlton, VIC. (Transferred Bachelor of Arts degree to LaTrobe University), Victoria (2007).

### **Anna Tuechler**

Anna Tuechler is an archaeologist and cultural heritage advisor at Ecology and Heritage Partners Pty Ltd. Anna has worked in a variety of roles over several different projects, including developments such as housing estates, proposed wind farms, and large infrastructure projects.



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Anna has experience in a variety of tasks, including the identification of Aboriginal and historic cultural heritage through archaeological survey, sub-surface testing and salvage excavation, photography, conducting background research and assisting in the preparation of standard and complex heritage assessments. Her formal qualifications are:

- Bachelor of Archaeology (Honours) (First Class), La Trobe University, Vic (2010).
- Bachelor of Archaeology, La Trobe University, Vic (2009).

## 1.6 Consultation with Aboriginal Parties

### *Registered Aboriginal Party*

The Registered Aboriginal Party (RAP) for the study area is the Gunaikurnai Land and Waters Aboriginal Corporation (GLWAC). GLWAC was contacted early in the project to notify that an activity was proposed for the study area but, since there were triggers for a CHMP under the *Aboriginal Heritage Act 2006*, the assessment would be conducted in the form of an AHHA. GLWAC was invited to take part in the field survey, and they supplied two representatives to assist the Ecology Partners staff and provide advice on any known cultural heritage issues for the study area. During the survey Aboriginal cultural heritage was identified within the study area and two areas of Aboriginal cultural heritage likelihood were also identified. The survey participants agreed that, due to the presence of Aboriginal cultural heritage, a mandatory CHMP (including complex assessment) is required prior to the proposed development commencing. The GLWAC representatives agreed that the results of this AHHA may be used to fulfil the requirements of the standard assessment component of the CHMP.

The following representatives of the GLWAC participated in consultation in relation to the assessment, including participation in the field survey conducted on 19 April 2011:

- Barry Kenny;
- Lloyd Hood; and
- Adrian Dow.

The details of all consultation undertaken in relation to the assessment are presented below (Table 1).



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Table 1: Consultation in Relation to the Assessment

Date	Participants	Details of Consultation
31.03.2011 – 04.04.2011	Rick Bullers (CHA) Ecology and Heritage Partners Pty Ltd; Barry Kenny GLWAC.	Email Request for two representatives to attend survey. Barry responded on 04.04.2011 stating that he will have two representatives available.
04.04.2011 – 05.04.2011	Rick Bullers (CHA) Ecology and Heritage Partners Pty Ltd; Barry Kenny & Lloyd Hood GLWAC.	Email Sent preliminary maps of the study area to Barry on 04.04.11 including a map of the proposed meeting location, suggesting a meeting on site at 8.30 am on the morning of 19.04.11. Received a call from Lloyd Hood on 05.04.11 requesting information on the project. CHA advised that a mandatory CHMP was not triggered at this stage (no areas of cultural heritage sensitivity) so initially, the survey would form part of an AHHA. Also emailed Lloyd the maps sent the previous day to Barry but also including an ACHRIS search map showing sites within 2 km of the study area.
19.04.2011	Jo Verducci, Mollie Harbour Ecology and Heritage Partners Pty. Ltd; Lloyd Hood, Adrian Dow GLWAC.	Project Inception Meeting held on site, prior to the field survey.
19.04.2011	Jo Verducci, Mollie Harbour Ecology and Heritage Partners Pty. Ltd; Lloyd Hood, Adrian Dow GLWAC.	Field survey Following the identification of one previously unrecorded Aboriginal site and two areas of Aboriginal cultural heritage likelihood, all participants agreed that subsurface testing as part of a mandatory CHMP is required. All survey participants agreed that the results of this AHHA may form the standard assessment component of the CHMP.

### *Native Title*

The study area lies within territory over which GLWAC has lodged two Native Title claimant applications with the National Native Title Tribunal (tribunal file numbers VC 97/4 and VC 09/1). The determination for VC 97/4 found that Native Title exists in parts of the determination area, and the second tribunal (VC 09/1) fully approved the determination area. However the study area comprises privately owned land, therefore Native Title has been extinguished.

### **1.7 Notice of Intention to Survey to Heritage Victoria**

A Notice of Intention to Conduct an Archaeological Survey was submitted to Heritage Victoria (HV) on 30 March 2011. A written response to this notice was sent by HV to Ecology and Heritage Partners Pty Ltd on 31 March 2011 (Appendix 1). The HV reference number for this project is 3936.





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## 1.8 Report Review and Distribution

Copies of this CHMP will be lodged with the following organisations:

- IGB Australia Pty Ltd;
- CPG Australia Pty Ltd;
- Gunaikurnai Land and Waters Aboriginal Corporation;
- Aboriginal Affairs Victoria; and
- Heritage Victoria.

## 1.9 Heritage Legislation

An overview of the *Aboriginal Heritage Act 2006*, the *Commonwealth Native Title Act 1993*, the *Victorian Planning and Environment Act 1987* and the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999* and the *Victorian Heritage Act 1995* is included in Appendix 2. This legislation is subordinate to the *Victorian Coroner's Act 2008* in relation to the discovery of human remains.



## 2 BACKGROUND REVIEW

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The desktop assessment includes research into information relating to Aboriginal and historical cultural heritage in or associated with the study area.

### 2.1 Environmental Context

Environmental factors influence how land may have been used in the past. This section reviews the environmental context of the study area to gain an understanding of environmental factors relevant to Aboriginal cultural heritage.

#### 2.1.1 Geographic region

The study area forms a part of the Gippsland Plain Bioregion (Map 3, Page 53). This geographic region is relevant to any Aboriginal cultural heritage that may be present within the study area. The desktop assessment has been undertaken in relation to the Gippsland Plain Bioregion (DPI 2011a).

#### 2.1.2 Geomorphology and landforms

The Gippsland Plains are characterised by low lying coastal and alluvial plains with gently undulating terrain dominated by barrier dunes, floodplains and swampy flats. The current activity lies within an area of low relief with few incised streams across the landscape and are composed of Neogene and Early Quaternary alluvial and fluvial sediments originating from the Eastern Uplands and following the Kosciuszko Uplift (DPI 2011b).

The study area is situated within the geomorphic unit of High Terraces and Fans – Gippsland, on a plain above the flood plain of the Morwell River and its tributaries. The plain contains Pleistocene non-marine alluvial sediments. The landform pattern is generally one of low relief, and includes the floodplain of the Morwell River.

The crest of the escarpment slope on overlooking the Latrobe River along the northern boundary of the study area would have been an ideal place to establish camp sites to access the resources of the plains grassland and the Latrobe River floodplain and is considered to be of high archaeological sensitivity. Aboriginal cultural material is commonly found on similar landforms throughout Gippsland and Victoria.

#### 2.1.3 Geology and soils

The land on the northern boundary is part of the Latrobe River floodplain and is characterised by Holocene deposits of alluvium comprising fine textured unconsolidated deposits of gravel, sand and silt (DPI 2011b). These are non-marine deposits laid down by ancient watercourses. The remainder of the study area is within the Haunted Hills Gravel geological landform, a formation known to have supplied pre-contact Aboriginal people with a variety of raw stone materials.



The soils of the floodplains and swampy flats of the Gippsland Plain are predominantly earths, and plain yellow and grey texture contrast soils (Hydrosols), whilst the soil types associated with the upper units of this region are predominantly texture contrast soils (Dermosols and Chromosols) (DPI 2011b).

The soils of the High Terraces and Fans – Gippsland geomorphic unit are geologically recent and show little soil profile development. They are duplex soils comprising dark grey to greyish brown clay loams to sandy and silty loams.

#### 2.1.4 Vegetation

Under the Department of Sustainability and Environment's (DSE) Ecological Vegetation Classes (EVCs) the soils of the floodplains and swampy flats of the Gippsland Plain Bioregion would have historically supported vegetation classified as Plains Grassy Woodland (EVC 55) and Swamp Scrub/Riparian Scrub (EVC 53). The swampy vegetation classes would have comprised 10% of the study area, whilst the latter comprises the bulk of the study area on the Haunted Hills formation. The drainage lines in the east of the property was characterised by Swampy Riparian Scrub.

The Plains Grassy Woodland vegetation class would have consisted of large trees such as Gippsland Red-gum (*Eucalyptus tereticornis*) and River Red-gum (*Eucalyptus camaldulensis*), as well as smaller shrubs such as Burgan (*Kunzea ericoides*) and Common Rice-flower (*Pimelea humilis*), and an abundance of herbs such as Small St. John's Wort (*Hypericum gramineum*) and Grassland Wood-sorrel (*Oxalis perennans*) (DSE 2011a).

The Swamp Scrub/Riparian Scrub vegetation class would have consisted of large trees such as Woolly Tea-tree (*Leptospermum lanigerum*) and Swamp Paperbark (*Melaleuca ericifolia*), as well as containing shrubs such as Prickly Currant-bush (*Coprosma quadrifida*) and Prickly Tea-tree (*Leptospermum continentale*), herbs such as Australian Gipsywort (*Lycopus australis*) and Spotted knotweed (*Persicaria praetermissa*), and graminoids such as Common Tussock Grass (*Poa labillardierei*) (DSE 2011a).

The Floodplain Riparian Woodland vegetation class would have consisted of several species of large trees, including River Red-gum (*Eucalyptus camaldulensis*) and Swamp Gum (*Eucalyptus ovata*), and also would have included shrubs such as Sweet Bursaria (*Bursaria spinosa* ssp. *spinosa*) and Tree Violet (*Hymenanthera dentate* s.l.), as well as herbs such as Scrub Nettle (*Urtica incisa*) and Hairy Knotweed (*Persicaria subsessilis*) (DSE 2011a).

These types of vegetation would have been utilised by Aboriginal people in the area for the creation of weapons and vessels, and would have supported a range of game that could be hunted for food.



### 2.1.5 Climate

The climate of Traralgon is characterised by warm summers and cool winters; temperatures range between an average maximum of 26.5°C and minimum of 12.8°C in February to an average maximum 13.6°C and minimum 3.6°C in July. Rainfall varies between a maximum of 77.4 mm in September and minimum of 40.4 mm in February, with annual average rainfalls of 727.1 mm (BOM 2011).

### 2.1.6 Land use history

The name Traralgon is derived from the Aboriginal 'tarralgon', meaning river of little fishes (TDHS 1995). In 1840, explorer Count Strzelecki noted the fine land in the area. Edward Hobson who, with his brother Edmund Hobson, took up a large holding in the Rosebud area. He was very impressed with the country in the vicinity of the junction of the Traralgon Creek and the Latrobe River. Edmund Hobson took up a run of 19,000 acres which covered all of the area of Traralgon and out to Wade's Creek in the west, and to about the spot where Refair is today. The southern boundary was the edge of the hills. He made his brother Edward his overseer (Blake 1977; Cuthill 1970; Thompson and Court 1976). The study area was once a part of this Traralgon run.

In April 1844, Edward constructed a hut down near the mouth of the Traralgon Creek, and this was the first building to be erected in the district. Edward lived on the Traralgon run until the early 1850s when he returned to the Mornington Peninsula area. Edmund Hobson died suddenly in 1848, and the run was administered by his Trustees, J.H.N. Castle and J.R. Murphy. In 1853, James Castle applied to have the run split in two, divided by the Traralgon Creek. It was then known as the East and West Traralgon runs and the lease was put up for sale. Edward purchased the West Traralgon run, which covered the area from the Traralgon Creek to Wade's Creek, and Turnbull purchased the East Traralgon run, from the Creek to his boundary. In 1851, Edward sold the West Traralgon run to James Purves. In 1854, James Purves sold the West Traralgon run to Duncan Campbell. Duncan and his brother built a home on the present site of "Traralgon Park", later to become the home of another Campbell family who were also to play a large part in the development of the town (Spreadborough and Anderson 1983; LCC 1977).

In 1858, Campbell built a hotel on the rise immediately to the west of the Traralgon Creek and situated right on the main track. He called it the Travellers' Rest, and for sixty years it served the people of the district as Post Office, store, Court House and Church. It was demolished in 1914 to make way for the present Traralgon Hotel. Not long after Campbell built his hotel, gold was discovered in Gippsland on the Tanjil. As Traralgon was on the direct route to the gold fields it soon began to grow. Amendments to the Colonial Land Act saw the subdivision of land and increasing settlement in the area (Cuthill 1970; Thompson and Court 1976; Huffer 1979).



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Wattle bark stripping was also important in Traralgon as it had been elsewhere in Gippsland and Western Port. Wattle bark from Black Wattle, Silver Wattle and Honeysuckle was one of Gippsland's earliest industries. In the 1880s there were a number of tanneries in Moe. The main occupation of the area was dairying and remained so until the 1930s (Cuthill 1970).

By the late 1880s Traralgon was the economic centre for the region and well established. The railway station was the focus of much of this activity including horses being sent to India as remounts, bark for tanneries, red gum and other milled timber. The building of the railway from Sale to Drouin commenced in 1874, and this provided much work for labourers, sawmillers and sleeper cutters. When the line to Maffra was built some years later, the repair shops and Locomotive Depot were moved from Sale to Traralgon. They remained in service until the 1960s and provided hundreds of jobs over the years. In the Depression years they were the main source of employment in the town. By the late 1870s a number of shops and other businesses had been established in the area (LCC 1977).

After World War II the town of Traralgon began to grow rapidly following the establishment of numerous other industries in the town, including the Great Eastern Brickworks and Gippsland Cement. By the late 1950s development of the urban sector was moving much faster than that of the rural sector. Eventually, in 1961, the Borough of Traralgon was created. Traralgon became a City in 1964 (TDHS 1995; Cuthill 1970).

The main occupation of the settlers in the area was dairying. In the early 1890s, the first creameries were set up. Very soon all of the little settlements had their own butter factories; Traralgon had two. For nearly seventy years, the farming sector was the backbone of Traralgon's economy. In 1936, Australian Paper Mills decided to establish a Pulp and Paper mill at Maryvale, about 8 km west of Traralgon. Wood was obtained from the mountain forests to the north-west, and this provided more work for timber cutters and carters (Cuthill 1970; Thompson and Court 1976; TDHS 1995).

Up until recently, Lot 1 PS424148 and the neighbouring property to the west have been used for farming purposes. Lot 1 PS424148 is currently being utilised for dairying and grazing purposes. A drainage channel has been cut, and it runs parallel along the northern boundary of the property. A second drainage line runs off the northern drainage channel, flowing through the eastern portion of the study area to a cement drain in the south of the study area. Several buildings have been erected on the hill crest, including a house, sheds, an effluent dam, and a milking shed and cattle yard. The Ashworth Drive allotments have been developed for thirteen residential dwellings and a public recreation reserve.



## 2.2 Aboriginal Context

This section reviews the Aboriginal context of the study area and includes an examination of historical and ethnohistorical sources, previously recorded Aboriginal archaeological site types and locations in the geographic region of the study area, and previous archaeological studies undertaken in the area. Together, these sources of information can be used to formulate a predictive site statement concerning what types of sites are most likely to occur in the study area, and where these are most likely to occur.

### 2.2.1 History and ethnohistory

Archaeological evidence suggests that Aboriginal peoples had occupied all of Australia's environmental zones by 40,000 years BP. The oldest dated archaeological site in Victoria occurs at Keilor in Melbourne. Charcoal from a hearth excavated in 1973 has been dated to 31,000 years BP (uncalibrated) (Flood 1995: 286). More recently, Richards *et al.* (2007) obtained dates from the Box Gully site of 32,000 years BP (calibrated). However, as this date is calibrated, it should be noted that the uncalibrated age of the Box Gully site is approximately 27,000 years BP.

The Gippsland region of eastern Victoria extends from Cape Patterson in the west to the Snowy River in the east and inland to the Great Dividing Range (Wesson 2000: 1). The word Gunai literally translates as 'man', and the terms Gunai and Kurnai are generally accepted by modern day Aboriginal people (Wesson 2000: 17). The Aboriginal people of Gippsland were isolated by their geographic location and this impacted on relationships with neighbouring groups (Wesson 2000: 17). One enduring conflict between the Gunai and neighbours to the west, north and east is recorded and Wesson refers to boundaries as being jealously guarded as these frontiers were deemed sacred (Wesson 2000: 7).

The Gippsland Aboriginal people were divided into five named clans: the *Brataualung*, *Briakalung*, *Brabralung*, *Tatungalung*, and the *Krowatungalung*. Each clan divided further into several local descent groups. The study area lies within the traditional lands of the *Brayakaulung* people, who occupied the Latrobe, Thompson, Avon and Macalister River valleys. The southern boundary of their traditional land occurs along the Strezlecki Ranges. The study area falls within the land once owned by the *Bunjil Kraura/ Woollum Woollum* (Wesson 2000: 22). Little specific ethnographic information about this clan is available. However, records of other *Kurnai* clans can be referred to in order to obtain a general idea of how they lived and land use patterns.

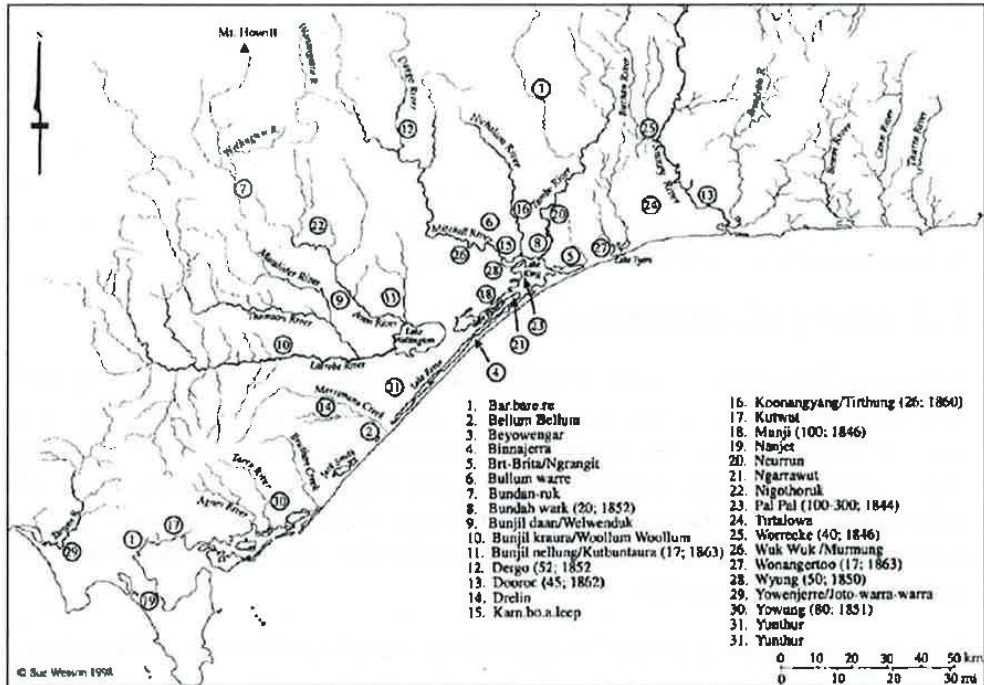


Figure 1: Gippsland named groups (Wesson 2000: 22)

The Gunai country was resource rich and was characterised by large rivers to the east and a system of lake and morasses fed by these and Aboriginal identity was closely linked to these rivers. There were large expanses of heath to the south west and extensive mountain ranges in the north, east, west and south west. Present day roads in the area often follow the route of a network of pathways that formerly intersected the country. Aboriginal people in the Gippsland region harvested water fowl, fish, kangaroo, possum, wombat, reptiles, root vegetables, leafy vegetables, fruits and berries and constructed canoes, rugs, artefacts and decorative apparel using timbers, stones, leathers, ochres, seeds and feathers (Wesson 2000: 17).

The *Brayakaulung* people probably depended on the rivers, wetlands and plains of the region for most of their resources. The seasonal reliability of these resources would have provided incentive for occupation of areas along and adjacent to the La Trobe River during periods of abundance. John Bulmer's<sup>1</sup> accounts (Bulmer Papers 11/11 1833-1913) indicate that the *Kurnai* focused their exploitation on the Gippsland Lakes and waterways, with groups moving in an annual migration pattern.

<sup>1</sup> John Bulmer was a missionary to Aborigines at Lake Tyers from 1862 until his death in 1913.



In spring, activity focused on coastal wetland resources of fish and waterfowl. In summer occupation was mostly by the coast, when apart from occasional hunting forays by men into the hinterland, shellfish and fish provided the staple diet. Fishing played a significant role in utilising the riverine, estuarine and lacustrine resources, with men using spears and both sexes using nets. Women apparently exclusively used fishing lines and bone fish hooks. During winter, fishing along the coast was less reliable, and groups would move inland to occupy inland river systems and flood plain areas (Morgan 1987: 17).

It is considered by Wesson (2000: 17) that, as with other areas of Australia, in Gippsland land ownership was based on local descent groups with a group of people responsible for the care and maintenance of the region. These understandings of the areas were very broad and it was not until 1904 that Howitt first recorded stories of land-owning groups such as swan-egging rights at Lake Kurlip and Raymond Island (Wesson 2000: 18).

The establishment of whaling stations on Wilsons Promontory from 1828 and farms from the 1830s onward decreased GunaiKurnai population to a mere 200 by the 1860s (Keen 2004:9 based on Howitt). The Gunai clans had lost access to land and resources that were the central components of their cultural life. The effects of disease, dispossession, inter-tribal conflict, alcohol and conflict with Europeans combined to dramatically reduce the Gunai population. Conflict between the two groups occurred mainly in response to pressure placed on traditional Indigenous food resources by dispossession of their land.

Between 1851 and 1886 the government became increasingly involved in the lives of Aboriginal people (Thompson 1985). After this period, some of the remaining clan members moved north into the mountains away from pastoral settlements. Other remaining clan members moved to the Ramahyuck Aboriginal Mission Station, established in 1863 for Aboriginals from the western district and run by the Rev. Friedrich Hagenauer. The mission was situated on the shores of Lake Wellington near the mouth of Avon River. By the 1860s, the majority of the remaining GunaiKurnai were living at the Lake Tyers Mission and Ramahyuck Mission (Keen 2004: 9 based on Howitt 1904). In 1908 Ramahyuck mission was closed, and all the inhabitants were relocated to the Lake Tyers Aboriginal Mission Station. John Bulmer was the manager of Lake Tyers mission from 1861 to 1908. He reported to state government officials and his detailed letters to ethnographers Curr, Smyth, Howitt and Matthews formed much of the basis for their information regarding Gippsland and Omeo Aboriginal people (Wesson 2000: 5).

Descendants of the *Kurnai* tribe now live throughout Gippsland region and are represented by the Gunaikurnai Land and Waters Aboriginal Corporation, who hold RAP status under the Victorian Aboriginal Heritage Act 2006, and Native Title rights under the Commonwealth Native Title Act.





## 2.2.2 Oral history

Consultation with GLWAC did not identify any specific oral traditions associated with the study area.

## 2.2.3 Database searches

The following database searches were conducted:

### 2.2.3.1 Victorian Aboriginal Heritage Register

A search of the Victorian Aboriginal Heritage Register (VAHR) was conducted on 31 March 2011 for sites within a 2 km radius of the study area. Searching an area with this radius ensured that a relevant and representative sample of information was obtained.

Ten sites are located within a 2 km radius; four isolated artefact and six artefacts scatter sites, three of which are also collection sites. There are no sites within the study area (Map 5, Page 55). A summary of the relevant Aboriginal archaeological sites appears below (Table 2).

Two of these sites, Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]), occur immediately to the west of the current study area.

Table 2: Summary of Previously Identified Aboriginal Sites within 2 km of the Study Area

VAHR Site Number	Report Number	Site Name	Site Type	Artefact Qty	Within Study area?
8121-0038	011	Maryvale Cemetery 1	Artefact Scatter	Not Specified	No
8121-0039	011	Cemetery Road 1	Artefact Scatter	8	No
8121-0107	011	Scrubby Lane Pines 1	Artefact Scatter	Not Specified	No
8121-0293	3896	GWF 5	Artefact Scatter	3	No
8221-0129	3896	GWF 2	Isolated Artefact	1	No
8221-0130	3896	GWF 6	Artefact Scatter	2	No
8221-0144	11174	Windsor Park, Traralgon 1	Artefact Scatter	1	No
8221-0150	11174	Windsor Park, Traralgon 2	Artefact Scatter Object Collection	9	No
8221-0151	11174	Windsor Park, Traralgon 3	Isolated Artefact Object Collection	1	No
8221-0152	11174	Windsor Park, Traralgon 4	Isolated Artefact Object Collection	1	No



### 2.2.3.2 Local Council

The study area is located within the Latrobe City Council and is governed by the Latrobe City Planning Scheme. Planning schemes set out policies and provisions for the use, development and protection of land.

The Heritage Overlay of the Latrobe City Planning Scheme was examined. No Aboriginal heritage places listed on the Heritage Overlay are present within the study area (Map 5, Page 55).

### 2.2.4 Previous Aboriginal archaeological investigations

Regional and localised archaeological investigations have established the general character of Aboriginal sites located within the same geographic region as the study area. This information, together with environmental context, histories of land use and historical and ethnohistorical, can be used to form the basis for a site prediction statement.

A summary of relevant archaeological investigations is provided below (Table 3), and some of the more relevant investigations are discussed below.

The most relevant investigation for the study area is a recent desktop assessment conducted by Heritage Insight (2010). This assessment included the Lots 2 and 3 PS343525 of the current study area. The assessment found that there is no requirement for a mandatory CHMP within the study area because there were no identified areas of cultural heritage sensitivity. However, the assessment did recommend that further archaeological survey be carried out, particularly along the ridgeline and escarpment along the northern boundary (this has partially occurred during the current study). The assessment identified this ridgeline as having Aboriginal cultural heritage likelihood<sup>2</sup>. It further recommended that a voluntary CHMP be prepared to offset the identified risk that Aboriginal cultural heritage will occur in the study area.

Wesson and Beck (1981) undertook a large scale study across a 107 km<sup>2</sup> research area, located to the southwest of the current study area. This assessment identified 132 new Aboriginal archaeological sites within their study area, three of which are located within 2 km of the current study area: artefact scatters Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]) and Scrubby Lane Pines 1 (8121-0107 [VAHR]).

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<sup>2</sup> In this report distinction is made between the terms **Aboriginal cultural heritage sensitivity**, which is an area identified in the *Aboriginal Heritage Act 2006* and triggers the need for a CHMP, and **Aboriginal cultural heritage likelihood**, which is an archaeologist's expert opinion of archaeological potential based on landforms present and extent of significant ground disturbance.



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Wesson and Beck noted that ground surface visibility at the time of their assessment was not good, and therefore further sites with better subsurface preservation may be present in the region. It should also be noted that Maryvale Cemetery 1 (8121-0038 [VAHR]) and Cemetery Road 1 (8121-0039 [VAHR]) both occur immediately to the west of the current study area on contiguous landforms (i.e. the sites occur on the same ridgeline that runs across the northern boundary of the study area).

Murphy and Rymer (2007) undertook a standard and complex assessment for a pipeline alignment which runs through Traralgon, and part of which lies within 2 km to the south of the current study area. This investigation identified a great number of previously recorded sites in the vicinity of their study area, as well as identifying five new Aboriginal sites within their study area itself. Of these new sites, one is located within 2 km of the current study area: GWF 2 (8221-0129 [VAHR]). This site is an isolated surface flaked stone artefact, and later subsurface testing in the vicinity of the site did not uncover any further artefacts associated with GWF 2 (8221-0129 [VAHR]). Murphy and Rymer note that there is some potential for further sites to be located in the general area near where GWF 2 (8221-0129 [VAHR]) was identified, although their own testing of the immediate area did not identify further material.

A summary of all archaeological reports relevant to the geographical region of the study area appears below (Table 3).

Table 3: Aboriginal Archaeological Reports Relevant to the Study Area

Author, Date, AAV Report #	Description and Location	Results
Wesson, J. and Beck, W. 1981 #011	An archaeological survey was undertaken for a large area of land to the southwest of the current study area.	A total of 132 new Aboriginal archaeological sites were identified during the survey, three of which are located within 2km of the current study area: Maryvale Cemetery 1 (8121-0038 [VAHR]), Cemetery Road 1 (8121-0039 [VAHR]) and Scrubby Lane Pines 1 (8121-0107 [VAHR]). These sites are all stone artefact scatters, and the majority of all the sites located during their survey comprised stone artefact scatters or isolated stone artefacts.
Rhodes, D. and duCros, H. 1998 #1320	An archaeological study was undertaken for the Greater Melbourne area, focusing on the waterways and floodplains landforms.	The waterways and associated plains were investigated across a wide area, and potential for archaeological sites based on the landform and previously recorded sites in the area.
Long, A. <i>et al</i> 1999 #709	Preliminary archaeological assessment of the Loy Yang Power property, south east of Traralgon.	Seven previously recorded Aboriginal archaeological sites were inspected, and three new isolated artefact sites were identified (8221-0081/0083 VAHR). Four previously recorded scarred trees were inspected; only two were determined to be of Aboriginal origin (8221-0006, 0015 VAHR), while one was natural (8821-0014 VAHR), and one was no longer extant (8221-0016 VAHR). Two previously recorded scarred trees could not be relocated.
Huys, S. 2001 #2065	An archaeological assessment was undertaken for the proposed alignment of an optical fibre cable near Traralgon, part of which is located within 2 km west of the current study area.	No new sites were identified during the assessment, although one area of potential was identified along the banks of the La Trobe River. It was also noted that sites in the vicinity of the alignment tended to be located along or near to waterways of the area.

Author, Date, AAV Report #	Description and Location	Results
Ellender, I. 2002 #2425	A re-appraisal of the ethnographies of south Gippsland.	Territorial boundaries are reconstructed through a re-appraisal of ethnographic literature. This paper looks at the change in ownership of the Yowenjerre country through conquest of one Aboriginal group by another. It looks at the spiritual significance of Wilson's Promontory.
Murphy, A. and Rymer, T. 2007 #3977	A cultural heritage assessment was undertaken for a water station and pipeline alignment which runs across a large area, part of which passes less than 2 km south of the current study area.	Five new Aboriginal sites were identified during the survey, one of which is located within 2 km of the current study area; GWF 2 (8221-0129[VAHR]). Other sites in the area were noted as being present near the alignment of current or prior waterways.
Murphy, A. and Rymer, T. 2007 #4058	A sub-surface testing program was undertaken for a water station and the alignment of a water pipeline which runs across a large area, part of which passes less than 2 km south of the current study area.	Sub surface testing of the sites located during the survey indicated that the artefact scatters along this alignment were of a low density and of low scientific significance. Each site tested also displayed a great deal of prior disturbance.
Murphy, A. and Owen, D. 2008 #10449	A complex CHMP was prepared for a proposed subdivision less than 2 km to the east of the current study area.	One previously recorded Aboriginal site was identified within their study area; GWF 2 (8221-0129[VAHR]). Excavation carried out around the established boundaries of this site identified three additional stone artefacts associated with the site, and the site boundary was amended accordingly. The site was not to be impacted by the proposed works.
Patton, K. and Schlitz, M. 2008 #10277	A complex CHMP was prepared for works associated with the replacement of a bridge less than 2 km east of the current study area.	Neither the survey nor the complex testing of the area identified any new Aboriginal archaeological sites, and no previously recorded sites were located within their study area.

Author, Date, AAV Report #	Description and Location	Results
Murphy, A. and Owen, D. 2010 #11174	A complex CHMP was undertaken for a proposed residential subdivision located less than 2 km east of the current study area.	Two new Aboriginal sites were identified during the standard assessment; Windsor Park Traralgon 1 (8221-0144[VAHR]) and Windsor Park Traralgon 3 (8221-0151[VAHR]), and a further three sites were identified during subsurface testing; Windsor Park Traralgon 2 (8221-0150[VAHR]), Windsor Park Traralgon 3 (8221-0151[VAHR]) and Windsor Park Traralgon 4 (8221-0152[VAHR]). Windsor Park Traralgon 1 (8221-0144[VAHR]) was identified south of their study area, and all sites identified are within 2 km of the current study area.
Heritage Insight Pty Ltd 2010	A desktop due diligence assessment was made of Lots 2 and 3 PS343525, within the current study area.	No previously unrecorded Aboriginal sites occur in the study area and no identified areas of cultural heritage sensitivity occur. A mandatory CHMP is not required, however a voluntary CHMP and/or further archaeological survey was recommended.



### 2.2.5 Aboriginal archaeological site prediction statement

The review of the previously recorded Aboriginal archaeological sites and previous archaeological investigations indicates that the most likely site types that may occur in the study area are stone artefacts scatters and isolated artefacts, and the previous studies in the general area have indicated that Aboriginal sites are most likely to be found close to the alignment of current or past waterways. The following site prediction statement has been formulated from the review of previous assessments. The statement presented is based on a site type approach.

#### Stone Artefact Scatters

Stone tools were made by hitting one piece of stone, called a core, with another called a 'hammerstone', often a pebble. This would remove a sharp fragment of stone called a flake. Both cores and flakes could be used as tools. New flakes were very sharp, but quickly became blunt during use and had to be sharpened again by further flaking, a process called 'retouch'. A tool that was retouched has a row of small flake scars along one or more edges. Retouch was also used to shape a tool.

Not all types of stone could be used for making tools. The best types of stone are rich in silica, hard and brittle. These include quartzite, chert, flint, silcrete and quartz. Aboriginal people quarried such stone from outcrops of bedrock, or collected it as pebbles from stream beds and beaches. Many flaked stone artefacts found on Aboriginal sites are made from stone types that do not occur naturally in the area. This means they must have been carried over long distances.

Stone tools are the most common evidence of past Aboriginal activities in Australia. They occur in many places and are often found with other remains from Aboriginal occupation, such as shell middens and cooking hearths. They are most common near rivers and creeks. It is easier to find them where there is limited vegetation or where the ground surface has been disturbed, for example by erosion.

Artefact scatters are the material remains of past Aboriginal people's activities. Scatter sites usually contain stone artefacts, but other material such as charcoal, animal bone, shell and ochre may also be present. No two scatters are exactly the same.

Artefact scatters can be found wherever Aboriginal occupation has occurred in the past. Aboriginal campsites were most frequently located near a reliable source of fresh water, so surface scatters are often found near rivers or streams where erosion or disturbance has exposed an older land surface.

Stone artefact scatters are considered likely to occur in the study area.



### **Isolated Artefacts**

Isolated artefacts are stone tools which occur singly and may occur anywhere in the landscape. Surface isolated artefacts may be indicative of further sub surface archaeological deposits. This site type can be found anywhere within the landscape, however, they are more likely to occur within contexts with the same favourable characteristics for stone artefact scatter sites.

Isolated artefacts are considered likely to occur in the study area.

### **Scarred Trees**

Aboriginal people caused scars on trees by removing bark for various purposes. The scars, which vary in size, expose the sapwood on the trunk or branch of a tree. Scarred trees are found all over Victoria, wherever there are mature native trees, especially box and red gum. They often occur along major rivers, around lakes and on flood plains.

Scarred Trees are considered unlikely to occur in the study area.

### **Aboriginal Burials**

Aboriginal burials are normally found as clusters of human bones eroding from the ground, or exposed during ground disturbance. Aboriginal customs for honouring and disposing of the dead varied greatly across Victoria, but burial was common. Aboriginal burial sites normally contain the remains of one or two people, although cemeteries that contain the remains of hundreds of people buried over thousands of years have been found. Sometimes the dead person was buried with personal ornaments and artefacts. Charcoal and ochre are also often found in burial sites.

Although Aboriginal burials are quite rare in Victoria, they have been found in almost every kind of landscape, from coastal dunes to mountain valleys. They tend to be near water courses or in dunes surrounding old lake beds. Many burials have been found on high points, such as dune ridges, within surrounding flat plains. They are often near or within Aboriginal occupation sites such as oven mounds, shell middens or artefact scatters.

Aboriginal burials are considered unlikely to occur in the study area.





### 2.2.6 Aboriginal desktop assessment - conclusions

The desktop assessment has indicated that there are Aboriginal sites in the vicinity of the study area, although no sites have previously been recorded within the study area itself. The predominant sites in the area are flaked stone artefact scatters and isolated artefacts found in proximity to permanent and ephemeral waterways. It is considered likely that the study area contains some of these site types, and a standard assessment should be undertaken to determine the presence or absence of surface sites, and to identify any areas of subsurface potential.

## 2.3 Historical Context

The section reviews the historical context of the study area and includes an examination of historical and ethnohistorical sources, previously recorded historical archaeological site types and locations in the geographic region of the study area, and previous archaeological studies undertaken in the area. Together, these sources of information can be used to formulate a predictive site model concerning what types of sites are most likely to occur in the study area, and where these are most likely to occur.

### 2.3.1 History

Traralgon's origins date from the early pastoral period, when Edward Hobson occupied the Traralgon run in 1844. An accommodation house near Traralgon Creek provided shelter for travellers on the route between Melbourne and Sale. The town was surveyed in 1858 and a census in 1861 revealed there were 36 residents.

Construction of the railway line between Sale and Melbourne, which was completed in 1879, was a major impetus to the town's development. Traralgon became a centre for the region, where dairying and saw milling were developing as major industries and the town eventually became a legal, administrative and educational centre. In the 1880s four brickyards were operating, substantial public buildings were constructed in the town and new subdivisions provided land for housing. A railway line from Traralgon to Stratford was built.

Traralgon's importance as a railway town increased when it became a service depot in 1903. Many railway workers moved into cottages in the Queen's Parade (formerly Railway Parade) area. APM's decision in the 1930s to build a paper pulp mill near Traralgon had a significant impact on the town. Staff housing was also built. A group of six houses the APM built for staff is in Kay, Clarke and Grey Streets.

Significant heritage sites document Traralgon's development. For example, the Star Hotel, built in 1875, shows the accommodation provided for travellers before the railway line had been completed. Houses set high on land subdivided in the 1880s, just to the west of the town centre, reflect the prosperity and growth that Traralgon experienced in the 1880s, as do the imposing court house and post office in Franklin Street.



There are the cottages in and around Queen's Parade built for railway workers and two railway stations (facing each other from each side of the track), built almost ninety years apart. They demonstrate the continuing importance of the railways to Traralgon. The many APM estates built for its workers reveal the influence APM has had on the town and employees' lives. In the town centre, the Laytons building in Franklin Street (built as a department store in the early twentieth century) has recently been restored to reveal its façade of Edwardian arches and windows (Context 2005).

### **2.3.2 Database searches**

#### **2.3.2.1 Victorian Heritage Register**

The Victorian Heritage Register (VHR), established by the Victorian *Heritage Act 1995*, provides the highest level of statutory protection for historical sites in Victoria. Only the State's most significant historical sites are listed on the Victorian Heritage Register.

A search of the Victorian Heritage Register for information relating to the study area was undertaken. The study area and the surrounding 2 km of land were investigated. There is one site listed on the VHR within 2 km of the study area:

- H2135 – Azarole Hawthorn Tree

This site is not located within the study area itself (Map 5, Page 55).

#### **2.3.2.2 Victorian Heritage Inventory**

The Victorian Heritage Inventory, established by the Victorian *Heritage Act 1995*, provides the statutory protection for all historical archaeological sites, areas or relics, and private collections of relics, in Victoria. Sites listed on the Heritage Inventory are not of State significance but are usually of regional or local significance.

A search of the Victorian Heritage Inventory for information relating to the study area was undertaken. The study area and the surrounding 2 km of land were investigated. There are two sites listed on the VHR within 2 km of the study area:

- HI 8221-0017 – George Bolton Eagle Grave
- HI 8221-0018 – Mary Ann Smythe Grave
- HI 8121-0005 – Driffield 5

None of these sites are located within the study area itself (Map 5, Page 55).



### **2.3.2.3 Local Council**

The study area is located within the Latrobe City Council and is governed by the Latrobe City Council Planning Scheme. Planning schemes set out policies and provisions for the use, development and protection of land.

The Heritage Overlay of the Latrobe City Council Planning Scheme was examined. There are four sites listed on the Heritage Overlay within 2 km of the study area:

- HO92 – Traralgon Old Cemetery;
- HO26 – Glengarry West State School No. 4426;
- HO135 – The Bluff Causeway Bridge; and
- HO137 – Sandbank Reserve.

None of these sites are located within the study area itself (Map 5, Page 55).

### **2.3.2.4 National Trust Register**

The National Trust of Australia (Victoria) is an independent, not-for-profit organisation that classifies a number of heritage places. Listing on the National Trust Register (NTR) does not impose any statutory protection, however often National Trust listings are supported by the local council Planning Scheme.

The study area and the surrounding two kilometres of land were investigated. There is one site which holds a 'File Only' listing on the NTR within 2 km of the study area:

- B4957 – Cemetery Gatehouse.

There are no sites listed on the NTR within the study area itself (Map 5, Page 55).

### **2.3.2.5 National, Commonwealth and International Heritage Lists**

The Australian Government Department of the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) maintains the National Heritage List (NHL), a register of exceptional natural, Aboriginal and historical heritage places which contribute to Australia's national identity. The DSEWPC also maintains the Commonwealth Heritage List (CHL), a register of natural, Aboriginal or historical heritage places located on Commonwealth land which have Commonwealth heritage values.

A place can be listed on one or both lists, and placement on either list gives the place statutory protection under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999).

The World Heritage List (WHL) lists cultural and natural heritage places which are considered by the World Heritage Council to have outstanding universal value.



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In addition, the DSEWPC also maintains the Register of the National Estate (RNE) which is a list of natural, Indigenous and historic heritage places throughout Australia. Following amendments to the *Australian Heritage Council Act 2003*, the RNE was frozen on 19 February 2007, which means that no new places can be added, or removed. However, the Register will continue as a statutory register until February 2012. During this transition period items listed on the RNE must continue to be considered during approvals processes.

Listings on the NHL, CHL, WHL and RNE are accessed via the Australian Heritage Database (AHD), managed by DSEWPC.

The study area and the surrounding 2 km of land were investigated. There were no sites listed on the NHL, CHL, WHL or RNE within 2 km of the study area (Map 5, Page 55).

A summary of the relevant historical archaeological sites appears below (Table 4 and Map 5, Page 55).

Table 4: Summary of Previously Identified Historical Sites within 2 km of the Study Area

Register and Site Number	Site Name	Site Type	Within Study area?
VHR 2135	Azarole Hawthorn Tree	Botanical	No
VHI 8121-0005	Driffield 5	Infrastructure	No
VHI 8221-0017	George Bolton Eagle Grave	Religious	No
VHI 221-0018	Mary Ann Smythe Grave	Religious	No
HO26 Heritage Overlay	Glengarry West State School No. 4426	Educational	No
HO92 Heritage Overlay	Traralgon Old Cemetery	Religious	No
HO135 Heritage Overlay	The Bluff Causeway Bridge	Infrastructure	No
HO137 Heritage Overlay	Sandbank Reserve	Public	No
B4957 National Trust	Cemetery Gatehouse	Building	No



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### 2.3.3 Previous historical archaeological investigations

Regional and localised archaeological investigations have established the general character of historical sites located within the same geographic region as the study area. This information, together with the information gathered in Section 2.3.2, can be used to form the basis for a site prediction statement.

Previous archaeological investigations undertaken within Traralgon have identified a variation of historical site types that may occur within the region.

Long et al (1999) recorded four historical sites during a survey of the Loy Yang Power property, including three historical farming selections and the site of the relocated rural township of Traralgon South. It was considered likely that subsurface deposits could reveal further information about the historic locations.

Clark and Thomson's (2000) survey for the Traralgon Bypass, stage 1, identified a brick sheep dip; however this site was destroyed and d-listed during the construction.

Clark (2001) identified one new historic site during a survey for proposed works on the Princes Highway East. This site was composed of a scatter of historical artefacts within a rail reserve. This site was destroyed and d-listed during the construction.

Rhodes' (2003) desktop assessment and field survey for optic fibre cable installations between Melbourne and Traralgon identified one previously recorded site in Traralgon: the Traralgon Engine Shed and Turntable (H1979). Two new sites associate with rail infrastructure were also recorded: a Timber-Lined Pit (H8021-0020) and Railway Sidings (D8121-0041).

A summary of archaeological reports relevant to the geographical region of the study area appears below (Table 5).

Table 5: Archaeological Reports Relevant to the Historical Heritage of the Study Area

Author, AAV Report No.	Date	Location and Description	Results
Long, A. et al #709	1999	Preliminary archaeological assessment and field survey of the Loy Yang Power property, south east of Traralgon.	Four historical sites were recorded, comprising three selections and the site of a relocated rural township (Traralgon South) (H 8221-0002/0005), which dates to the late 19 <sup>th</sup> century. Each location had little or no surface remains of heritage value, but did have the potential to reveal information about the origin and character of the sites in subsurface deposits.
Clark, V. and Thomson, M. #1055	2000	Field survey for the proposed Traralgon Bypass (stage 1), Princes Highway, Traralgon. Includes 9 km of proposed road from the interchange of the existing Princes Freeway and Princes Drive.	One historic archaeological place was recorded (D 8221-0006). These historical ruins were destroyed during the bypass construction. The site comprised a brick pit, which was a sheep dip.
Clark, V. and Amorosi, L. #1287	2002	Field survey and subsurface testing for the proposed Traralgon Bypass (stage 2), from Traralgon Creek Road, south of Traralgon, to the Princes Highway to the east of the town.	No historic archaeological sites were identified.
Clark, V. #1288	2001	Field survey for the proposed works on the Princes Highway East, between Traralgon and Flynn.	One historic archaeological site was identified (H 8221-0011). This site is a scatter of historical artefacts found on the east side of Barrs Lane in a rail reserve. No traces of a structure were found. The artefact scatter was destroyed during the proposed works.
Clark, V. #1843	2004	Results of the assessment for the proposed Traralgon Bypass (stage 3), south of Traralgon, to the Princes Highway to the east of the town.	Previous investigations (stages 1 and 2) were carried out to look at alignment options to the west of Traralgon Creek Road, and East of Traralgon Creek road. An additional survey was carried out during stage three, but no new sites were identified.

Author, AAV Report No.	Date	Location and Description	Results
Rhodes, D. #1959	2003	Desktop and field survey assessment for the installation of optic fibre communications cable along the rail corridor from Melbourne to Traralgon.	Between Melbourne and Traralgon, six historic heritage places have been previously identified: Flinders St Railway Station Complex (H1083/ HO649), Malvern Railway Station (H1575/ HO103), Caulfield Railway Station Complex (H1665/ HO078), Clayton Railway Station (H1667/HO3), Warragul Railway Station (H1598/ HO119) and Traralgon Engine Shed and Turntable (H1979). Two new sites were recorded during the field survey: Timber-Lined Pit (H8021-0020) and Railway Sidings (D8121-0041). The first is located on the west bank of the Bunyip River, while the second is located near Yallourn.
Murphy, A. #2471	2006	Survey of 1086 hectares, between Traralgon and Morwell, for proposed Mountain View Development, Traralgon.	No historic archaeological sites had been previously recorded within the study area, and none were identified during the field survey.



### **2.3.4 Historical Archaeological Site Prediction Statement**

The review of the previously recorded historical archaeological sites and previous archaeological investigations indicates that the most likely site types in the study area are domestic, farming and pastoral sites. Whilst a number of historic rail infrastructure sites have been identified within 2 km of the study area, it is highly unlikely that such sites will be located within the study area. The following site prediction statement has been formulated from the review of previous assessments. The statement presented is based on a site type approach.

#### **Domestic Sites**

Evidence of domestic occupation may include structural remains or ruins of homesteads and/or outbuildings, domestic rubbish dumps or bottle dumps, wells or underground storage tanks.

Domestic sites are considered a possibility within the study area.

#### **Farming Sites**

Evidence of farming may include fence lines, dams, water channels, plantings or terracing.

Farming sites are considered a possibility within the study area.

#### **Pastoral Sites**

Breeding of livestock and dairying may be evidenced by the remains of stockyards, stables, barns and holding pens.

Pastoral sites are considered a possibility within the study area.





### **3 FIELD ASSESSMENT AND RESULTS**

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At the request of the client, field survey was limited to survey of the Stockdale property (Lot 1 PS424148). The other properties within the study area were assessed by desktop research only.

#### **3.1 Survey**

The standard assessment includes the ground survey of Lot 1 PS424148 to detect the presence of Aboriginal cultural heritage in or associated with the study area.

Lot 1 PS424148 was surveyed on 19 April 2011 by Ecology and Heritage Partners Pty Ltd Archaeologists/Cultural Heritage Advisors Mollie Harbour and Jo Verducci, with Lloyd Hood and Adrian Dow representing the RAP for the study area, the GLWAC.

##### **3.1.1 Methodology**

The survey took the form of a pedestrian survey in which four participants walked 2 m apart across the entire study area (Map 6, Page 56). No mature native trees are located within the study area. No caves, cave entrances or rock shelters are present within the study area. A summary of the archaeological survey attributes appears in Appendix 3.

##### **3.1.2 Limitations of the survey**

As stated above, survey was limited to one property within the study area (Lot 1 PS424148). No visual inspection or survey of the remainder of the study area was conducted.

Ground surface visibility (GSV) was, on average, 5% across the study area with occasional increased visibility under the tree line on the western boundary, and on the far eastern and far western portions of the hill crest where erosion has occurred. The eastern half of the floodplain paddocks was flooded, providing zero GSV.

The two north eastern paddocks were not surveyed due to flooding. In the south eastern paddock, boggy ground prevented us from surveying an identified area of marshland. Waterlogged ground was encountered throughout the paddocks located on the floodplain, as well as the lower sloped ground to the south. Other areas that were inaccessible during the survey included an effluent dam, vehicle parking areas, the three building sites and milking shed/yard, and an artificial drainage channel in the centre of the far eastern paddock.

##### **3.1.3 Results of the survey**

Six different landforms were identified during the survey of 240 Cross's Road, Traralgon, varying from marshy low-lying drainage channels, to rises towards the northern and north eastern boundaries (Map 7, Page 57).



1. On the western side of the property, facing north, lies a gentle rise (Plate 1). This rise begins from the northern fence line of paddock four. The rise suddenly falls into a steep descent at the northern fence line of paddock six, and becomes a flat floodplain at the edge of the northern drainage channel.
2. A ridgeline runs east-west along the northern end of the property (directly behind the effluent dam and milking shed/yard), with a steep bank descending to the floodplain directly north of the property (Plate 2).
3. A gentle rise is located along the south eastern fence line, spanning approximately 300 m north to south and approximately 50 m east to west.
4. A very gentle rise is located on the south western side of the property, measuring approximately 100 x 100 m. The rise is located south of a large drain pipe that extends west, from beneath the driveway.
5. The south eastern portion of the study area encompasses a low lying marsh area, lying directly east of the driveway (Plate 3). The marsh area results from the confluence of an artificial drainage channel, and large drainage pipe, and a manmade drainage channel that runs from east to west across the central eastern portion of the property. This marshy area covers approximately 250 x 50 m. Recent heavy rains meant that the marsh was partly underwater and extremely boggy underfoot during the ground survey.
6. A floodplain lies in the northern section of the study area, spanning the property from west to east along the northern boundary line, and extends approximately 50 m south, to the base of the steep ridgeline bank (Plate 4). A manmade drainage channel lies directly north of the property. This floodplain was waterlogged, and in some parts under water due to recent flooding of the drainage channel, during completion of the ground survey.

Weather conditions on the day of the ground survey were overcast with periods of light rain and slight winds.

The dominant vegetation of the study area comprised a grass ground cover with heavy weed growth in the marshy low-lying areas in the south. Approximately 20% of the study area had zero visibility due to waterlogged, marshy or weedy conditions that resulted from poor surface water drainage. At the confluence of the drainage channels on the eastern side of the property the drainage channel running east to west is creek-like in nature, and featured heavy tree, blackberry and weed growth on both banks.

Disturbance within the study area includes the large drainage pipe that opens into the south eastern paddock (east of the driveway), which comes from the direction of Cross's Road (Plate 3). A second large drainage pipe is located west of the drive way (approximately half way up the driveway), extending to just inside the western portion of the study area. A driveway has been constructed down the centre of the property, leading to the farm building complex (entailing milking yards, herding pens, residential house, garage and a white storage shed) on the centre of the hill crest to the north.



The farm building complex has a series of heavily disturbed vehicle and animal tracks, leading to the northern gates on the ridge of the hill (Plates 6-8). An effluent dam (approximately 25 x 50 m) to the east of the herding pens has been dug into the hill crest, with slightly raised banks (Plate 9). Periodically, the dam overflows and the runoff is carried down the steep bank to the northern floodplain.

### **3.1.3.1 Aboriginal cultural heritage**

One Aboriginal place was identified in the survey area:

- 240 Cross's Road AS (8221-0182 [VAHR]).

This site was located on the eastern side of the property, just below the northern ridgeline (Plate 10). Only one of the artefacts was located on the flat ground beside the effluent dam. The location of the artefact scatter was an area of increased GSV, partially due to the runoff from the effluent dam directly above the site. Thirty stone artefacts were identified (two quartz and 28 silcrete) and their coordinates recorded by a Differential GPS. One of the silcrete artefacts identified was a core; the remainder were flakes and debitage. During the survey Lloyd Hood (GLWAC) advised that a silcrete quarry exists less than half an hour drive from the property, in a national park near Tyers (Tyers Park). Additionally, silcrete outcrops can be found on flats in bush land across the region.

As predicted prior to the survey, the rise and ridgeline in the northern section of the property are culturally significant and contain Aboriginal cultural material. As this landform would have overlooked the floodplains below, it is a likely area for usage in the past. GLWAC representatives confirmed this during the ground survey assessment. As a result, a complex subsurface assessment is required, targeting the rise in the north of the study area, and the slight rises along the eastern property boundary and the south western side of the property. It was determined that approximately 20% of the low lying swampy areas of the study area are unsuitable for testing due to the high water content of the soils. This percentage may increase following heavy rains.

The site is discussed further in Section 3.2

### **3.1.3.2 Historical heritage**

Two historic pavement features were identified in the survey area, on the main driveway leading into the farm (Plates 11 to 12). The pavement feature consists of two stone paving features appearing out of the eroded gravel driveway surface. The two features are located approximately 5-10 m apart, and are comprised of two different stone layout patterns. Feature 1 has two regular square layouts of stones bordered by small irregularly shaped stones, while the second has a regular square layout of stones. Stone Feature 1 is approximately 2 m in length, and 1 m wide; Stone Feature 2 is approximately 1 m in length and 1 m wide. The function of the stone features is unclear- they may have been a road surface of some kind.



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Based on advice from Heritage Victoria (Appendix 6), it was decided that registering the stone features as a historic site was not necessary, unless evidence could be found to suggest the features are a significant historic site.



Plate 1: View of Study area facing NE from SW corner, showing gentle rise.



Plate 2: View of Study area facing NW, showing crest of hill with flagged artefacts from 240 Cross's Road AS (8221-0182 [VAHR]).



Plate 3: View of study area facing SW, showing drain and marsh area.



Plate 4: View of study area facing SW, showing flooded paddock at base of hill.



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Plate 5: View of study area facing NE, showing Northern side of hill with erosion.



Plate 6: View of study area facing E, showing driveway, building and rubbish.



Plate 7: View of milking shed east of house, facing east from top of hill crest.



Plate 8: View NE from road on top of hill crest, west of house.



Plate 9: View NE from top of slope where 240 Cross's Road AS (8221-0182 [VAHR]) is located.



Plate 10: Artefact from 240 Cross's Road AS (8221-0182 [VAHR]).



Plate 11: View of 240 Cross's Road Stone Feature 1

Plate 12: View of 240 Cross's Road Stone Feature 2

## 3.2 Aboriginal Archaeological Sites

One Aboriginal archaeological site is present within the study area:

- 240 Cross's Road AS (8221-0182 [VAHR]) (Map 7, Page 57).

### 3.2.1 240 Cross's Road AS (8221-0182 [VAHR])

#### 3.2.1.1 Location of 240 Cross's Road AS (8221-0182 [VAHR])

Primary Grid Coordinate: GDA 94, Zone 55, E 456587, N 5774269.

- Lot 1 PS424148; Parish of Traralgon; County of Buln Buln (240 Cross's Road, Traralgon)

#### 3.2.1.2 Extent of 240 Cross's Road AS (8221-0182 [VAHR])

240 Cross's Road AS (8221-0182 [VAHR]) is located on the eastern side of the property, just below the northern ridgeline (Map 9, Plan 1 and Plates 13-14). One artefact was located on flat ground beside the effluent dam. The artefact scatter was found within an area of increased GSV.

#### 3.2.1.3 Nature of 240 Cross's Road AS (8221-0182 [VAHR])

240 Cross's Road AS (8221-0182 [VAHR]) consists of a stone artefact scatter on the northern ridgeline. One artefact was located on flat ground beside the effluent dam. The artefact scatter was found within an area of increased GSV, partially due to the runoff from the effluent dam directly above the site. Thirty stone artefacts were identified (two quartz and 28 silcrete). One silcrete core was present; the remainder were flakes and debitage.



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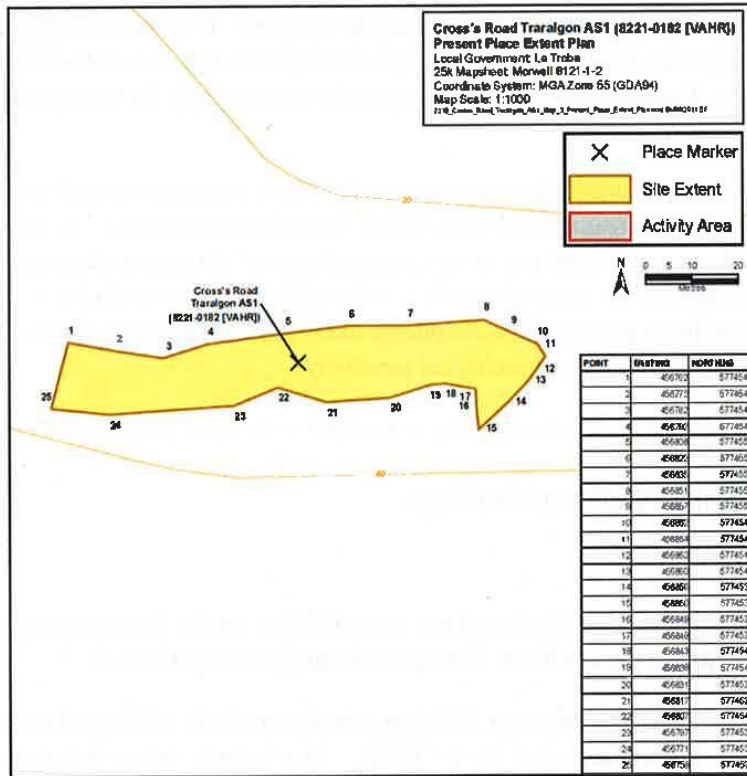
#### ***3.2.1.4 Significance of 240 Cross's Road AS (8221-0182 [VAHR])***

As predicted prior to the survey, the rise and ridgeline in the northern section of the property are culturally significant and contain Aboriginal cultural material. As this landform would have overlooked the floodplains to the north, it is a likely area for usage in the past. GLWAC representatives confirmed this during the ground survey assessment. The site has been used in the past for making stone tools, as illustrated by the identification of a core, stone flakes and flaking debitage. During the survey Lloyd Hood (GLWAC) advised that a silcrete quarry exists less than half an hour drive from the property, in a national park near Tyers (Tyers Park). Additionally, silcrete outcrops can be found on flats in bush land across the region. This information ties the artefact scatter to local raw materials.



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As the site represents various stages in the production of stone tools, possibly using local raw materials, it is considered to be site of medium scientific significance. All Aboriginal cultural sites are of cultural significance to the GLWAC.



Plan 1: Extent of 240 Cross's Road AS (8221-0182 [VAHR])



Plate 13: View of 240 Cross's Road AS (8221-0182 [VAHR]) facing North



Plate 14: Artefacts from 240 Cross's Road AS (8221-0182 [VAHR])





## 4 MANAGEMENT RECOMMENDATIONS

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This section provides a summary of the recommendations made in relation to the Aboriginal and historical heritage values of the study area. For Aboriginal cultural heritage the following recommendations explain whether a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006* will or will not be required. It should also be noted that the properties are owned by different entities and development will be conducted by more than one developer. Consequently recommendations for CHMPs may be provided on a property by property basis.

For this study area, in areas where it is considered that a mandatory CHMP is required, this will be because those areas contain an identified area of cultural heritage sensitivity under the *Aboriginal Heritage Act 2006* and/or an identified area of Aboriginal likelihood as assessed during surface survey. In areas where it is considered that a voluntary CHMP is required, this will be because those properties are considered likely to have landforms that have Aboriginal cultural heritage likelihood (archaeological sensitivity).

A summary table of the recommendations is provided at the end of this section (Table 6).

### 4.1 Aboriginal Cultural Heritage

#### Recommendation 1

One previously unrecorded Aboriginal site was identified on the Stockdale property (Part of Lot 1 PS424148, 240 Cross's Road, Traralgon) during the survey (Map 7).

Under the *Aboriginal Heritage Act 2006*, an Aboriginal site is an area of cultural heritage sensitivity and triggers the need for a CHMP. As a surface survey has been conducted, subsurface testing will be required to determine the full extent, nature and significance of the site. Consequently a complex CHMP will be required for this property. The complex assessment should target the areas of Aboriginal cultural heritage likelihood identified during the survey (Map 7), with particular emphasis on the rise and ridgeline in the northern section of the property and the slight rises along the eastern property boundary and the south western side of the property, although some subsurface testing should also be conducted in the other landforms.

#### Recommendation 2

The desktop assessment (see also Heritage Insight 2010) indicates that there are no identified areas of cultural heritage sensitivity within the study area under the *Aboriginal Heritage Act 2006*. Consequently a mandatory CHMP is not required for the remainder of the study area. However, the ridge landform along the northern boundary of the Stockdale property continues into the Saunders property to the west (Lots 2 and 3 PS343525) and partially into Lot 6 LP126409 to the east.



The presence of Aboriginal cultural heritage on this ridgeline, as shown by the site identified during the current survey and the presence of two previously recorded sites (Maryvale Cemetery 1 [VAHR 8121-0038] and Cemetery Road 1 [VAHR 8121-0039]), strongly suggests contiguous use of the ridgeline by Aboriginal people in the past. It is recommended that, prior to any development works proceeding, that further assessment in the form of a field survey be conducted in the areas of the study area that were not surveyed during the current assessment. Survey should be conducted in the following properties:

- Part of Lot 2 PS424148; Parish of Traralgon; County of Buln Buln;
- Part of Lot 2 PS343525; Parish of Traralgon; County of Buln Buln;
- Lot 3 PS343525; Parish of Traralgon; County of Buln Buln; and
- Lots 1 to 13 LP126409, Parish of Traralgon; County of Buln Buln.

The survey may be conducted as part of an additional AHHA. However, it is recommended that the survey be conducted as part of a voluntary CHMP.

## 4.2 Historical Heritage

### Recommendation 1

No historic sites were identified within the study area during the survey, therefore no further historical investigation is recommended.

### Recommendation 2

As survey of the remainder of the study area was not conducted during this assessment it is recommended that survey of the remaining land parcels be conducted prior to the implementation of any development works.

Table 6: Summary of Management Recommendations

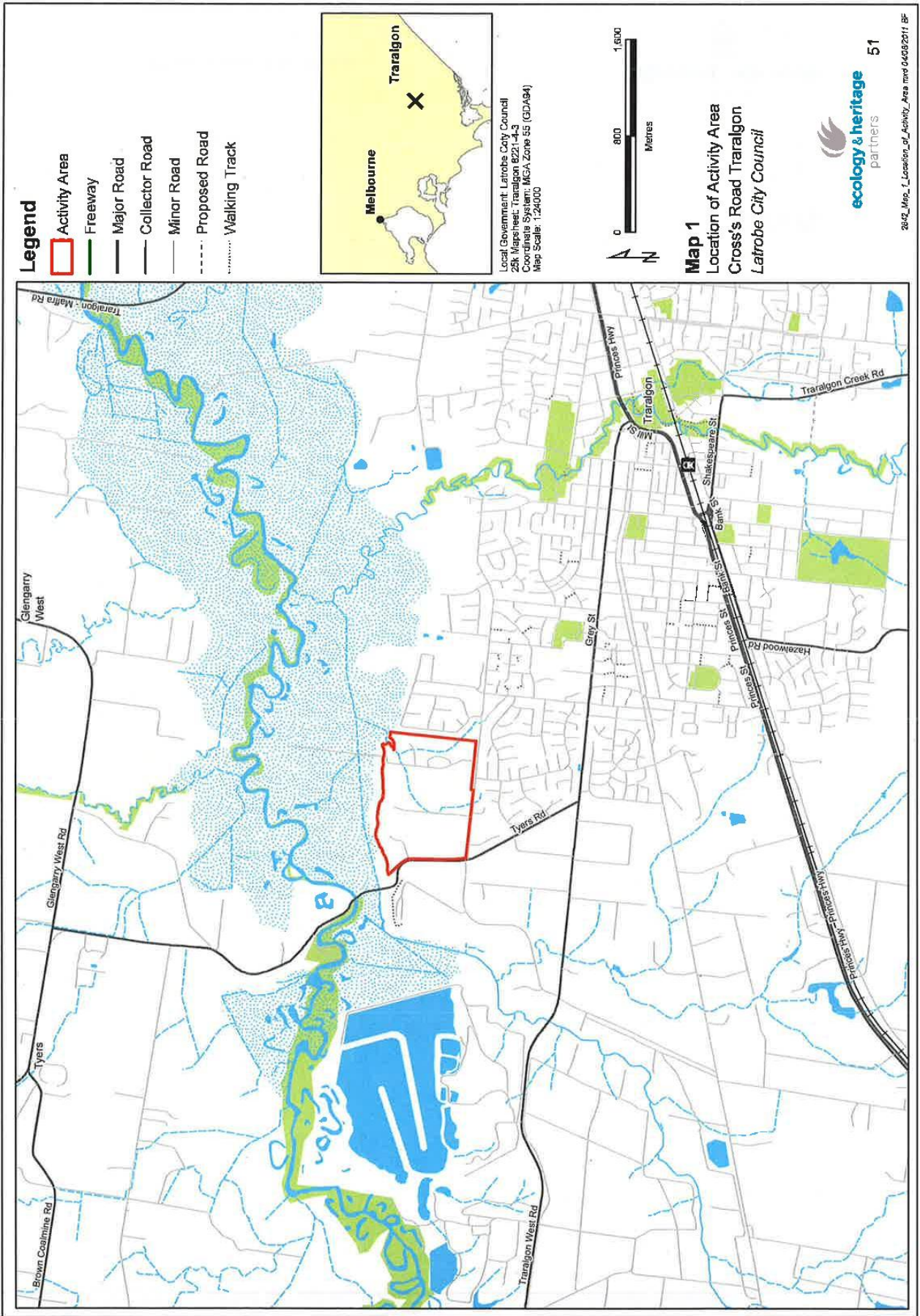
Property Identifier	Address	Aboriginal Cultural Heritage		Historical Heritage		
		Mandatory CHMP Required	Voluntary CHMP Recommended	Further Historical Assessment Required	Consent Required	Further Survey Recommended
Part of Lot 1 PS424148	240 Cross's Road, Traralgon	Yes	-	No	No	No
Part of Lot 2 PS424148	80 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Part of Lot 2 PS343525	150 Tyers Road, Traralgon	No	Yes	Yes	No	Yes
Lot 3 PS343525	150 Tyers Road, Traralgon	No	Yes	Yes	No	Yes
Lot 1 LP126409	120 Cross's Road, Traralgon	No	Yes	Yes	No	Yes
Lot 2 LP126409		No	Yes	Yes	No	Yes
Lot 3 LP126409	35 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 4 LP126409	45 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 5 LP126409		No	Yes	Yes	No	Yes
Part of Lot 6 LP126409	75 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 7 LP126409	60 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 8 LP126409	50 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 9 LP126409	40 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 10 LP126409	30 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 11 LP126409	20 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 12 LP126409	16 Ashworth Drive, Traralgon	No	Yes	Yes	No	Yes
Lot 13 LP126409		No	Yes	Yes	No	Yes

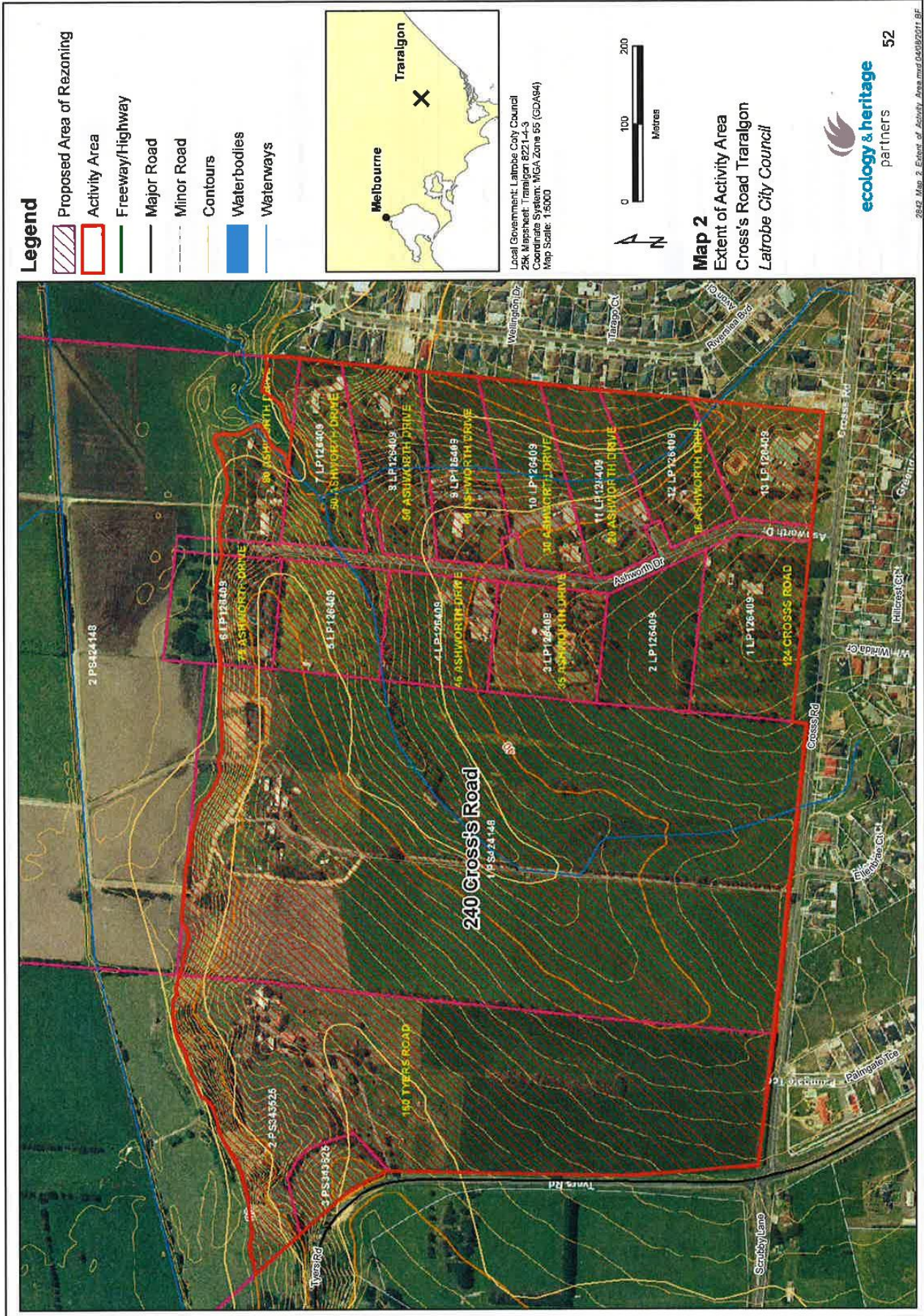


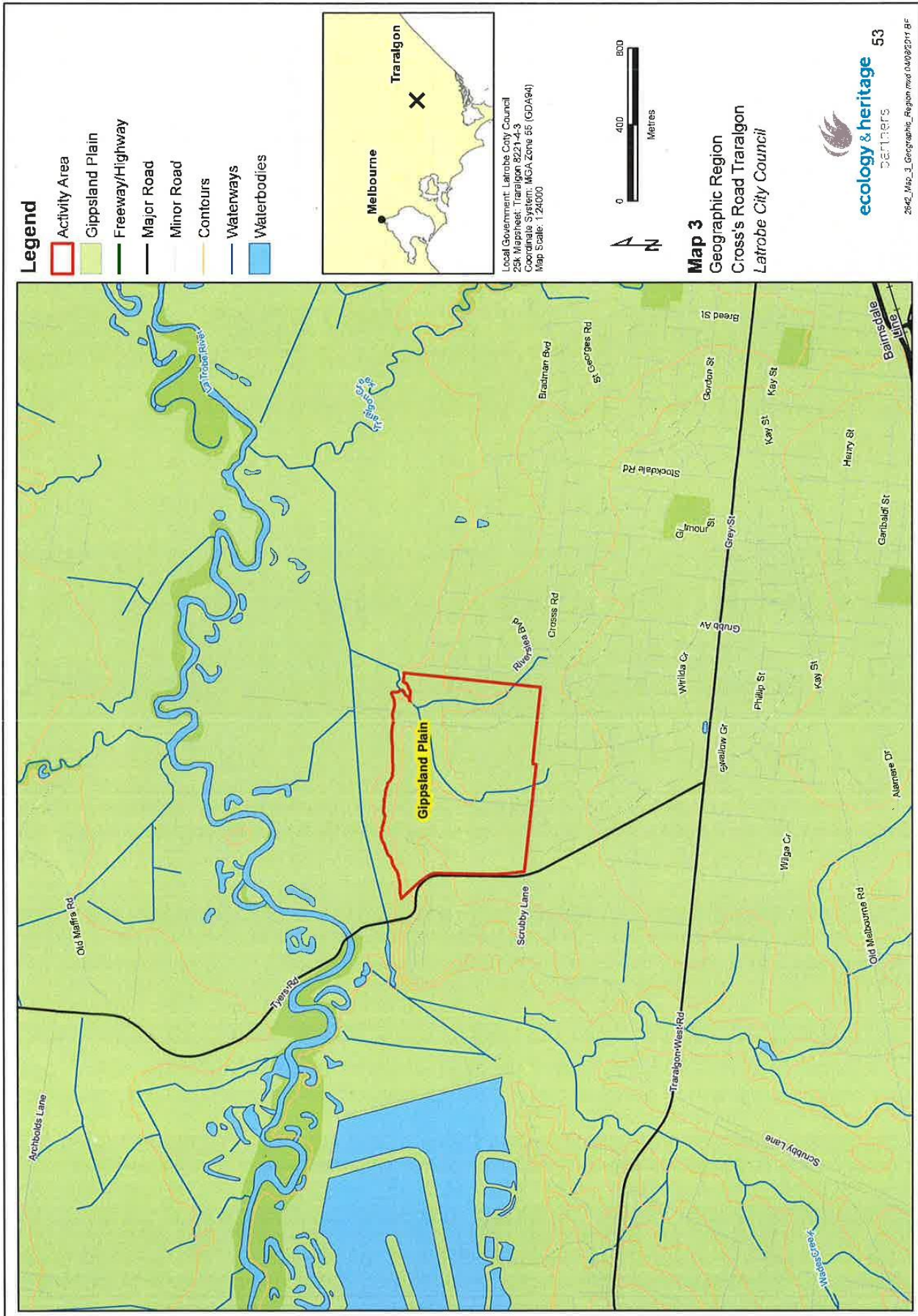
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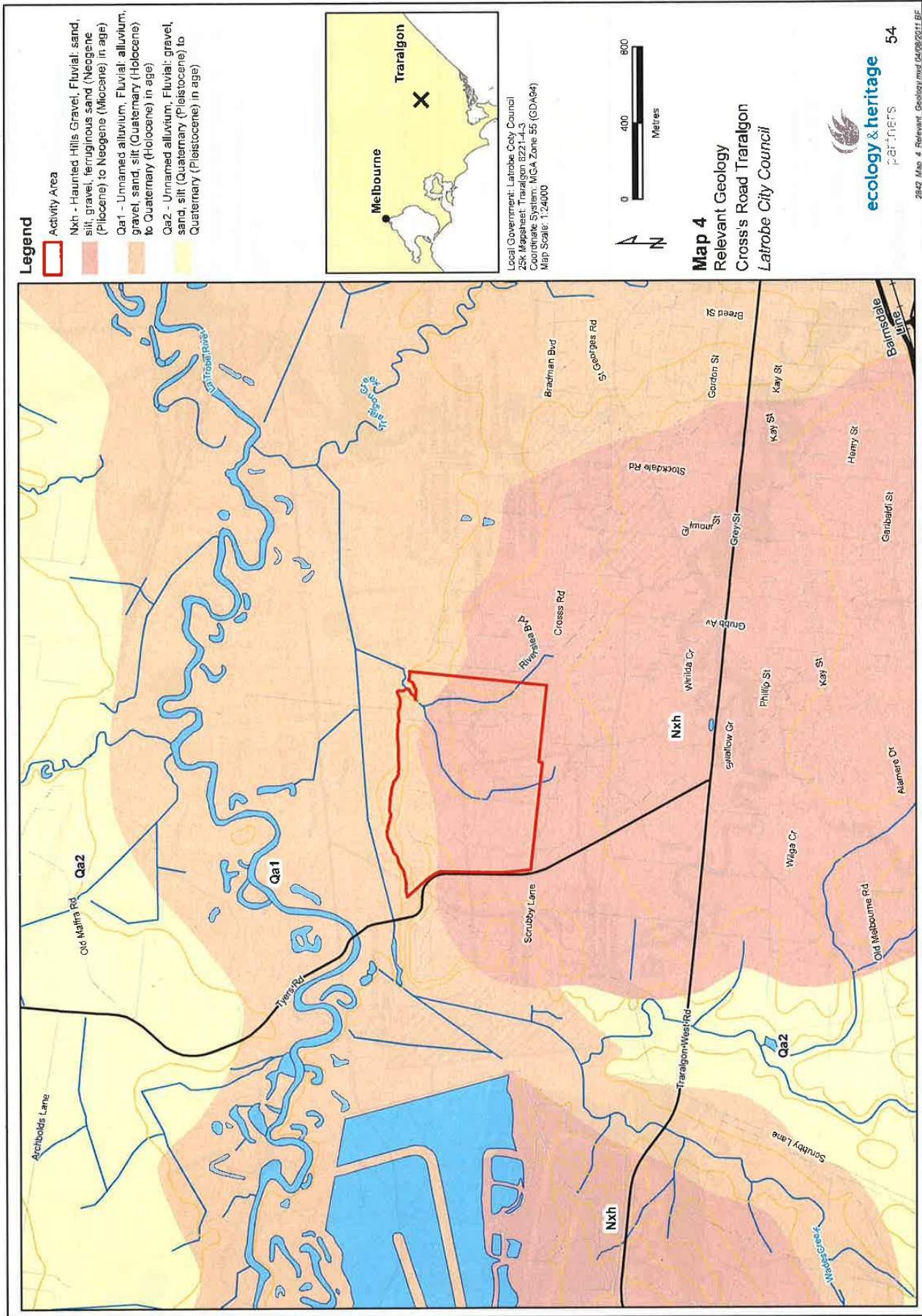
## MAPS

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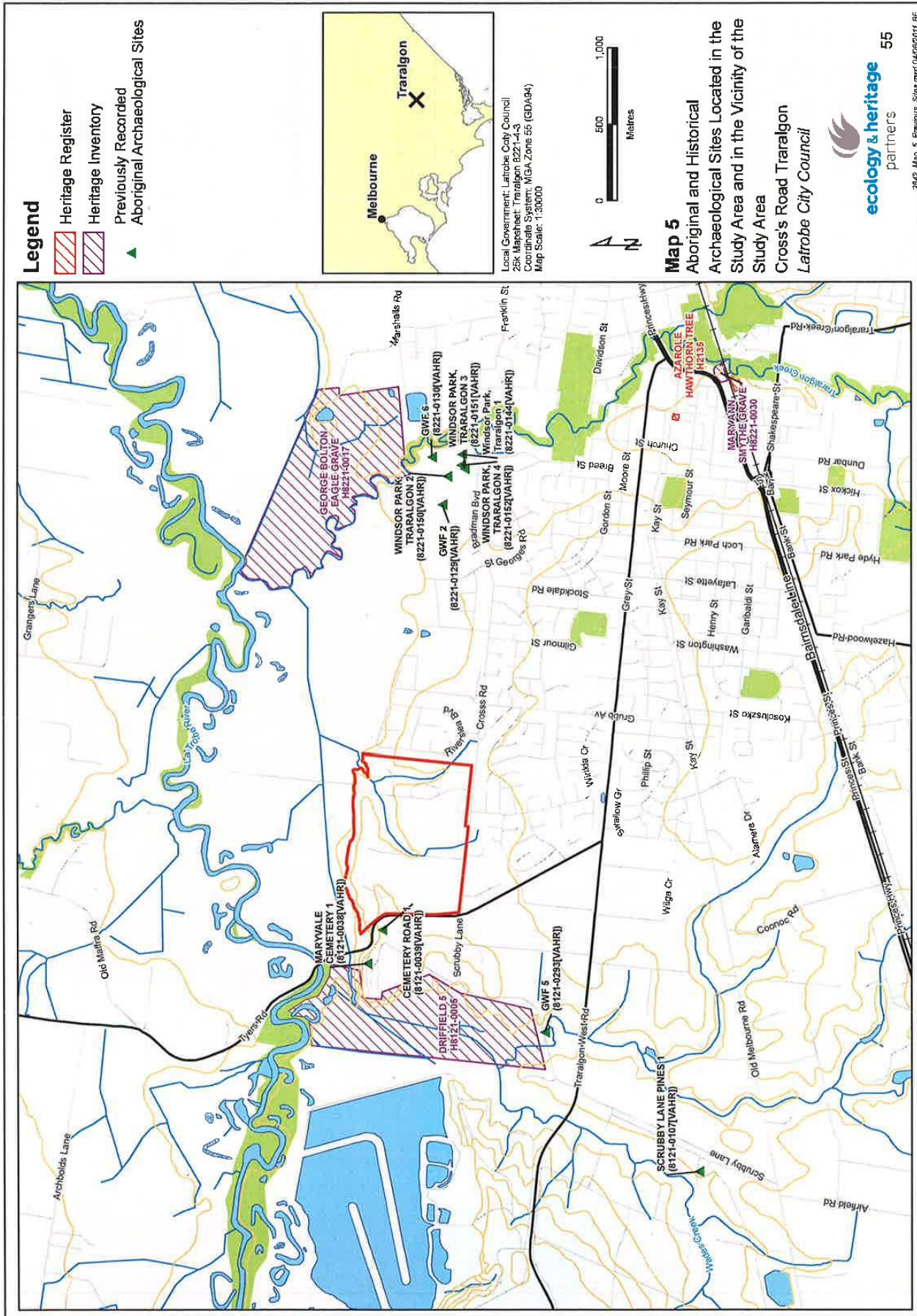


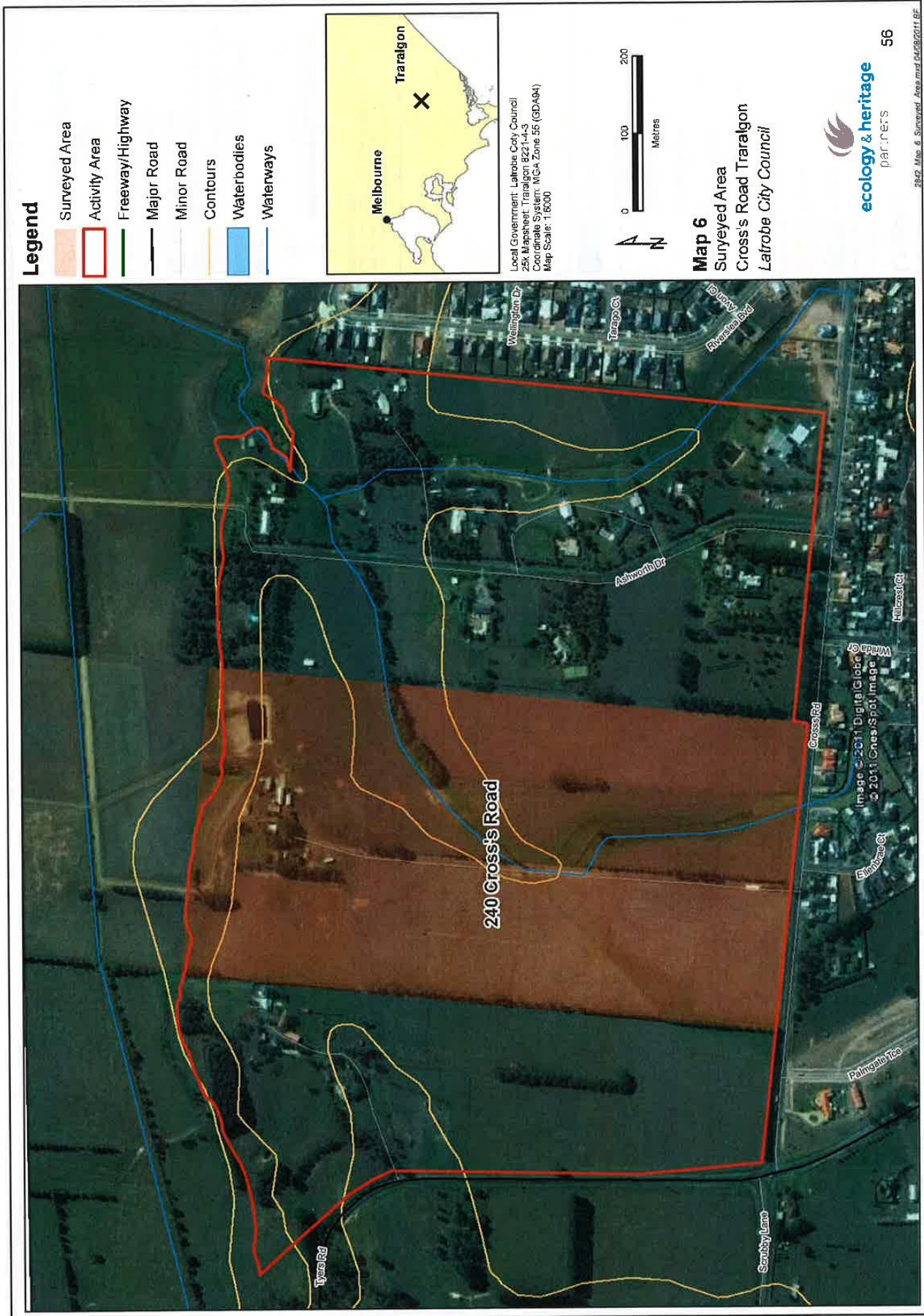


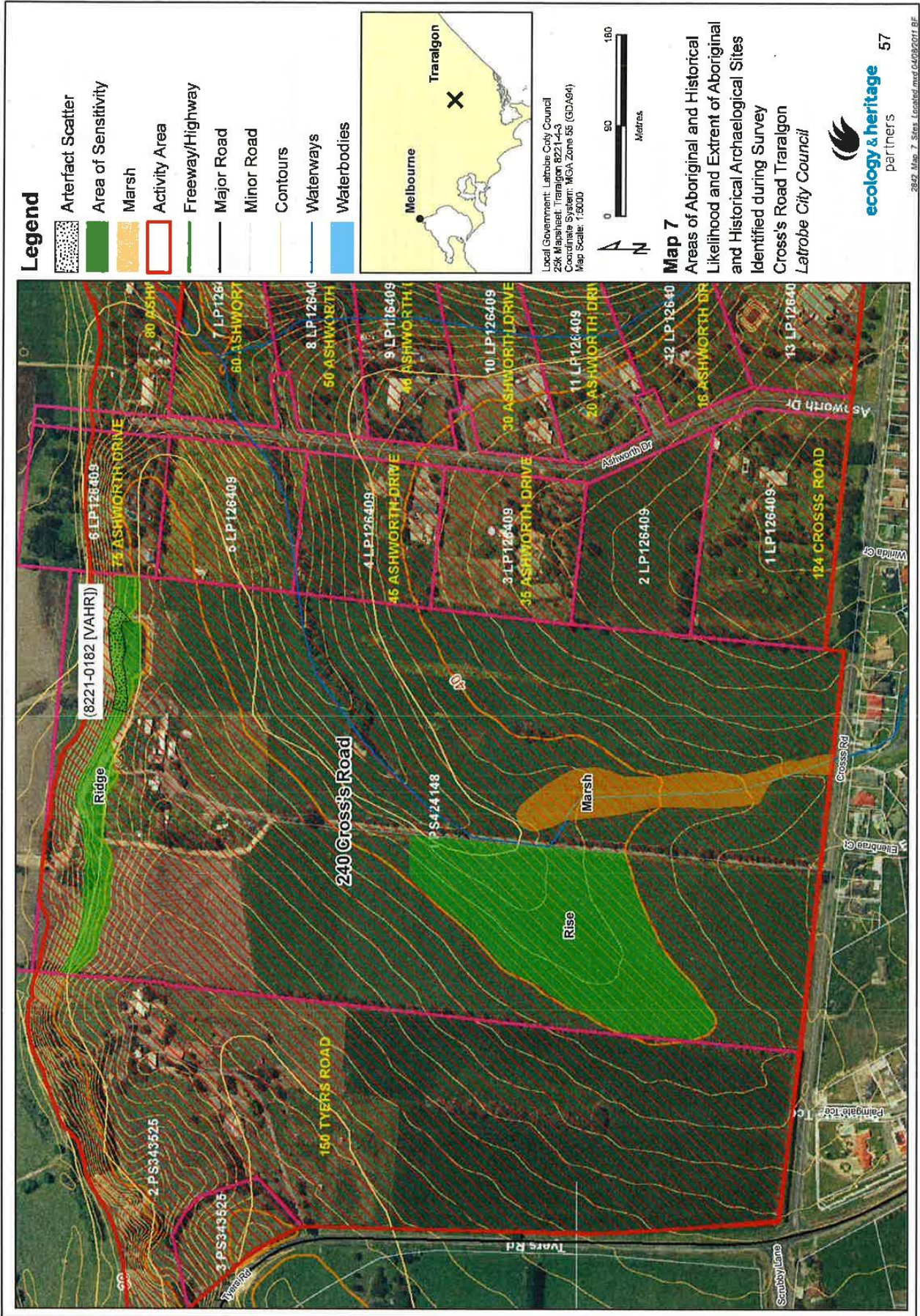














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## **APPENDICES**


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## Appendix 1 - Notice of Intention to carry out an Archaeological Survey

### NOI Form



**Heritage**  
VICTORIA

**Notice of intention to carry out an Archaeological Survey**

**1. Details of notifier**

Name Rick Bullers

Email r.bullers@ecologypartners.com.au

Company Ecology Partners Pty Ltd

Postal address Po Box 298 Brunsvick Vic

Postcode 3056

Telephone (Business Hours) 9940 1411 Facsimile 9381 0700

Commissioning agent CPC Archelsa Pty Ltd

**2. Survey location**

Notice is given that the above-named person intends to undertake a survey of historical archaeological sites in the area delineated on the attached map. (If more space is required, attach additional material)

Name and address of site Cross Road, Traralgon  
Lot 1 Ps 424148

Area adjacent to the roads on the attached maps

The survey area is located on the following 1:100,000 map sheet/s:

Map number	Map name
<u>8221-4-3</u>	<u>Traralgon 1:25000</u>

**3. Dates of survey**

It is intended that the survey will be conducted between the following dates:

From 18 April 2011 to 19 April 2011

Signature [Signature] Date 30 3 12011


**Assistance**

If you require assistance to complete this form, please telephone (03) 8644 8800.  
This form should be lodged by post or fax with Heritage Victoria, GPO Box 2392,  
Melbourne 3001, Fax: (03) 8644 8811.



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## HV Response



**Department of Planning  
and Community Development**

PO Box 2392  
Melbourne 3001  
Level 4, 35 Collins Street  
Melbourne 3000  
Telephone (03) 8644 8800  
Facsimile (03) 8644 8811  
www.heritage.vic.gov.au

Ref: 10015848-02  
31 March, 2011

Rick Bullers  
Ecology Partners Pty Ltd  
PO Box 298  
BRUNSWICK VIC 3056

Dear Mr Bullers,

**RE: PROPOSED SURVEY**

Thank you for forwarding the completed Notice of Intent to Carry Out an Archaeological Survey form advising of your intent to conduct historical archaeological survey at the below site. All future correspondence, including the final reports, must quote the project number listed below.

**3936 CROSS ROAD, TRARALGON**


**Section 131 of the *Heritage Act 1995* requires that copies of all documentation resulting from a survey or investigation must be lodged with Heritage Victoria for management, reference and archival purposes (in the form of site cards and archaeology reports). Comprehensive documentation provides the basis for appropriate management of Victoria's historical archaeological resource. Please note that site cards can now be submitted electronically in most cases.**

The technical guide *Guidelines for Conducting Historical Archaeological Surveys* provides details on the statutory processes and required documentation in conducting a survey, completing a Heritage Inventory Site Card and producing the archaeology report. Any incomplete, inaccurate or illegible documentation will be returned for appropriate completion. **As detailed in the technical guide, a report must be submitted even if no new historical archaeological sites have been located during the course of the survey or desktop study. Site cards are due within one month of the completion of an archaeological survey. Archaeology reports are due from the archaeology consultant within one year of the date of completion of the archaeological survey.**

In accordance with Section 132 of the Heritage Act, this office must be notified if a historical archaeological site or relic is identified during a survey. This a requirement for all surveys, including those commissioned for Aboriginal cultural heritage investigations.

Should you have any queries or require any further assistance please call Anne-Louise Muir, Acting Heritage Victoria Archaeologist, on (03) 8644 8901.

Yours sincerely



**Jim Gardner**  
Executive Director  
HERITAGE VICTORIA



## Appendix 2 - Heritage Legislation

### A2.1 Victorian *Aboriginal Heritage Act 2006*

The *Aboriginal Heritage Act 2006* protects Aboriginal cultural heritage in Victoria. A key part of the legislation is that Cultural Heritage Management Plans (CHMPs) are required to be prepared by Sponsors (the developer) and qualified Cultural Heritage Advisors in accordance with the *Aboriginal Heritage Act 2006* and the accompanying *Aboriginal Heritage Regulations 2007*. A CHMP is the assessment of an area (known as a 'study area') for Aboriginal cultural heritage values, the results of which form a report (the CHMP) which details the methodology of the assessment and sets out management recommendations and contingency measures to be undertaken before, during and after an activity (development) to manage and protect any Aboriginal cultural heritage present within the area examined.

The preparation of a CHMP is mandatory under the following circumstances:

- If the *Aboriginal Heritage Regulations 2007* require a CHMP to be prepared (s. 47);
- If the Minister of Aboriginal Affairs Victoria requires a CHMP to be prepared (s. 48);  
or
- If an Environmental Effects Statement is required by the Environmental Effects Act 1978 (s. 49).

The *Aboriginal Heritage Regulations 2007* require a CHMP to be prepared:

- If all or part of the proposed activity is a 'high impact activity'; and
- If all or part of the study area is an area of 'cultural heritage sensitivity'; and
- If all or part of the study area has not been subject to 'significant ground disturbance'.

The preparation of a CHMP can also be undertaken voluntarily. Having an Approved CHMP in place can reduce risk for a project during the construction phase by ensuring there are no substantial delays if sites happen to be found. Monitoring construction works is also rarely required if an approved CHMP is in place.

Approval of the CHMPs is the responsibility of either DPCD (AAV) or the Registered Aboriginal Parties. They will be examining the CHMPs in detail with key points including:

- Addressing whether harm to heritage can be avoided or minimised;
- All assessments (including test excavations) must be completed before management decisions are formulated; and



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- Survey and excavation must be in accordance with proper archaeological practice and supervised by a person appropriately qualified in archaeology.

There are three types of CHMPs that may be prepared. These are:

- Desktop;
- Standard; and
- Complex.

A desktop CHMP is a literature review with fieldwork. If the results of the desktop show it is reasonably possible that Aboriginal cultural heritage could be present in the study area, a standard assessment will be required.

A standard assessment involves literature review and a ground of survey the study area. Where the results of ground survey undertaken during a standard assessment have identified Aboriginal cultural heritage within the study area, soil and sediment testing using an auger no larger than twelve centimetres in diameter may be used to assist in defining the nature and extent of the identified Aboriginal cultural heritage (Regulation 59(4)).

Where the results of ground survey undertaken during a standard assessment have identified Aboriginal cultural heritage within the study area or areas which have the potential to contain Aboriginal cultural heritage sub surface, a complex assessment will be required. A complex assessment involves a literature review, a ground of survey, and sub surface testing. Sub surface testing is the disturbance of all or part of the study area or excavation of all or part of the study area to uncover or discover evidence of Aboriginal cultural heritage (Regulation 62(1)).

It is strongly advised that for further information relating to heritage management (e.g. audits, stop orders, inspectors, forms, evaluation fees, status of RAPs and penalties for breaching the Act) Sponsors should access the Aboriginal Affairs Victoria website (<http://www.aboriginalaffairs.vic.gov.au/>).

The following flow chart also assists in explaining the process relating to CHMPs.

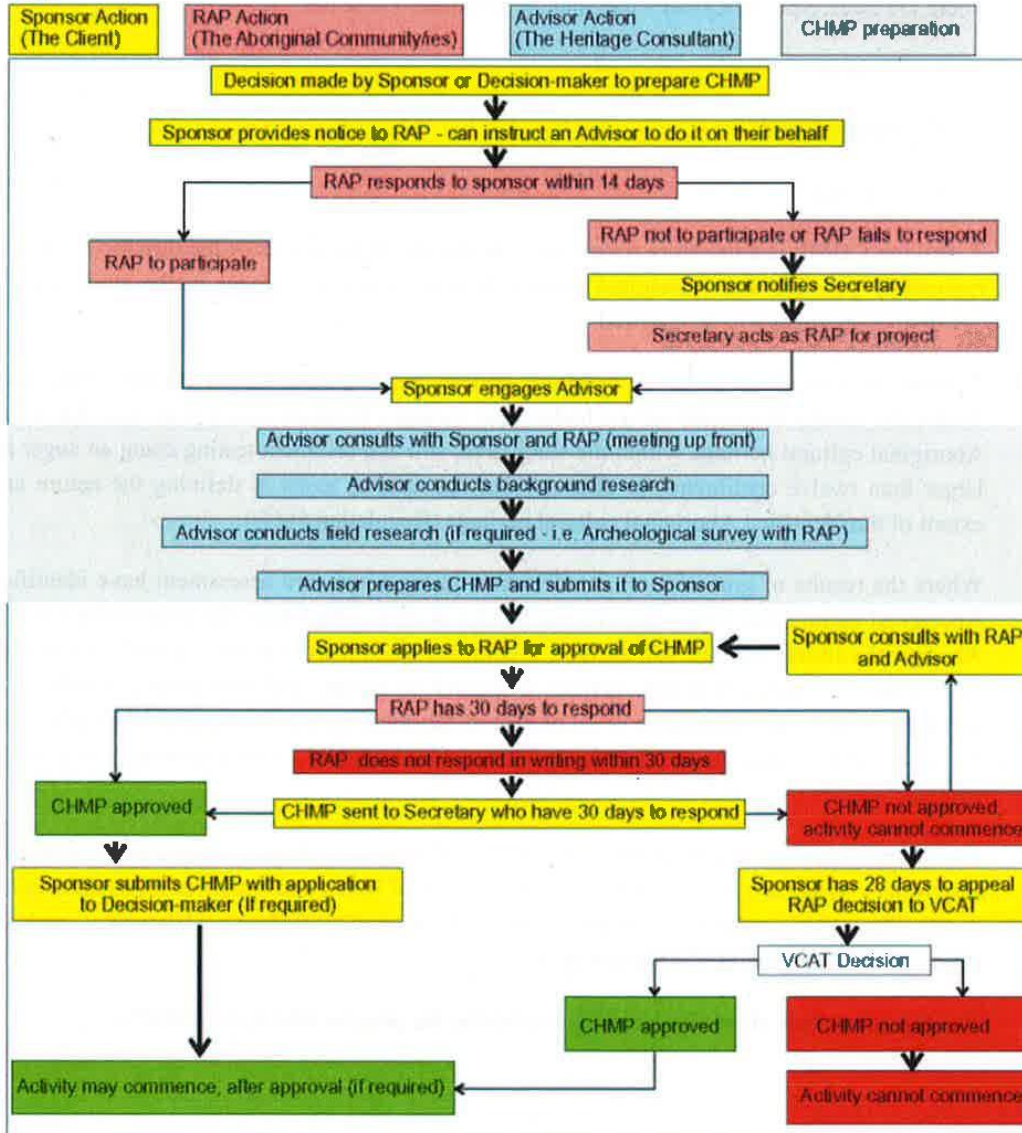




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**ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN PROCESS**

Key:





### A2.2 Commonwealth *Native Title Act 1993*

Native Title describes the rights and interests of Aboriginal and Torres Strait Islander people in land and waters, according to their traditional laws and customs. In Australia, Aboriginal and Torres Strait Islander people's rights and interests in land were recognised in 1992 when the High Court delivered its historic judgment in the case of *Mabo v the State of Queensland*. This decision overturned the legal fiction that Australia upon colonisation was *terra nullius* (land belonging to no-one). It recognised for the first time that Indigenous Australians may continue to hold native title.

Native Title rights may include the possession, use and occupation of traditional country. In some areas, native title may be a right of access to the area. It can also be the right for native title holders to participate in decisions about how others use their traditional land and waters. Although the content of native title is to be determined according to the traditional laws and customs of the title holders, there are some common characteristics. It may be possessed by a community, group, or individual depending on the content of the traditional laws and customs. It is inalienable (that is, it cannot be sold or transferred) other than by surrender to the Crown or pursuant to traditional laws and customs. Native Title is a legal right that can be protected, where appropriate, by legal action.

Native Title may exist in areas where it has not been extinguished (removed) by an act of government. It will apply to Crown land but not to freehold land. It may exist in areas such as:

- Vacant (or unallocated) Crown land;
- Forests and beaches;
- National parks and public reserves;
- Some types of pastoral leases;
- Land held by government agencies;
- Land held for Aboriginal communities;
- Any other public or Crown lands; and/or
- Oceans, seas, reefs, lakes, rivers, creeks, swamps and other waters that are not privately owned.

Native Title cannot take away anyone else's valid rights, including owning a home, holding a pastoral lease or having a mining lease. Where native title rights and the rights of another person conflict, the rights of the other person always prevail. When the public has the right to access places such as parks, recreation reserves and beaches, this right cannot be taken away by Native Title. Native Title does not give Indigenous Australians the right to veto any



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project. It does mean, however, that everyone's rights and interests in land and waters have to be taken into account.

Indigenous people can apply to have their native title rights recognised by Australian law by filing a native title application (native title claim) with the Federal Court. Applications are required to pass a test to gain certain rights over the area covered in the application. The Native Title Tribunal (NNTT) was established to administer application processes. Once applications are registered, the NNTT will notify other people about the application and will invite them to become involved so all parties can try to reach an agreement that respects everyone's rights and interests. If the parties cannot agree, the NNTT refers the application to the Federal Court and the parties argue their cases before the Court.

As a common law right, native title may exist over areas of Crown land or waters, irrespective of whether there are any native title claims or determinations in the area. Native Title will therefore be a necessary consideration when Government is proposing or permitting any activity on or relating to Crown land that may affect native title<sup>3</sup>.

#### **A2.3 Victorian Planning and Environment Act 1987**

All municipalities in Victoria are covered by land use planning controls which are prepared and administered by State and local government authorities. The legislation governing such controls is the *Planning and Environment Act 1987*. Places of significance to a locality can be listed on a local planning scheme and protected by a Heritage Overlay (or other overlay where appropriate). Places of Aboriginal cultural heritage significance are not often included on local government planning schemes.

#### **A2.4 Commonwealth Environmental Protection and Biodiversity Conservation Act 1999**

The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a national framework for the protection of heritage and the environment and the conservation of biodiversity. The EPBC Act is administered by the Australian Government Department of Sustainability, Environment, Water, Population and Communities (SEWPaC). The Australian Heritage Council assesses whether or not a nominated place is appropriate for listing on either the National or Commonwealth Heritage Lists and makes a recommendation to the Minister on that basis. The Minister for the Environment, Water, Heritage and the Arts makes the final decision on listing. SEWPaC also administers the Register of the National Estate.

The objectives of the EPBC Act are:

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<sup>3</sup> The information in this section was taken from the Department of Sustainability and Environment, Fact Sheet on Native Title, 2008.



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- to provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance;
- to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources;
- to promote the conservation of biodiversity;
- to provide for the protection and conservation of heritage;
- to promote a cooperative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples;
- to assist in the cooperative implementation of Australia's international environmental responsibilities;
- to recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity; and
- to promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

#### **A2.5 Victorian Coroner's Act 2008**

The Victorian *Coroner's Act 2008* requires the reporting of certain deaths and the investigation of certain deaths and fires in Victoria by coroners to contribute to the reduction of preventable deaths. Of most relevance to heritage is the requirement for any "reportable death" to be reported to the police (s. 12[1]). The *Coroner's Act 2008* requires that the discovery of human remains in Victoria (s. 4[1]) of a person whose identity is unknown (s. 4[g]) must be reported to the police.


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### Appendix 3 - Archaeological Survey Attributes

#### ABORIGINAL CULTURAL HERITAGE PLACE ASSESSMENT:

#### ARCHAEOLOGICAL SURVEY AND EXCAVATION ATTRIBUTES FORM

Project Name: Residential Subdivision, Stockdale Property, Cross's Road, Traralgon, Victoria

Author/Consultant: Rick Bullers

Cultural Heritage Management Plan #: N/A

Cultural Heritage Permit #: N/A

Survey Attributes	
Survey Date: 19.04.2011	Ground Surface Visibility: 7%
Actual Survey Coverage (m <sup>2</sup> ): 290,000	Effective Survey Coverage (m <sup>2</sup> ): 2
Survey Spacing (m): 2 m	Transect Width (m): 8 m    Number in Crew: 4
Landform: Floodplain, gentle slope, spur ridge.	
Vegetation: Grass pasture, remnant native vegetation, introduced tree and weed species.	
Disturbance: Effluence dam, building complex, driveway, drainage channels and drain pipes.	

Survey Method	Survey Design	Sample	Survey Type
<input checked="" type="checkbox"/> Pedestrian	<input type="checkbox"/> Opportunistic	<input checked="" type="checkbox"/> Area	<input checked="" type="checkbox"/> Surface
<input type="checkbox"/> Remote sensing (specify)	<input type="checkbox"/> Random	<input type="checkbox"/> Transect	
	<input checked="" type="checkbox"/> Systematic	<input type="checkbox"/> Locality	
	<input type="checkbox"/> Stratified	<input type="checkbox"/> Haphazard	
	<input type="checkbox"/> Other	<input type="checkbox"/> Other	

Excavation method			
Excavation Date:	Area Excavated:		
Excavation Spacing (m):	Transect Width (m):	Number in Crew:	
Test Trench Size (m):	Depth (m):		

Excavation Method	Excavation Design	Sample
<input type="checkbox"/> Manual	<input type="checkbox"/> Uncontrolled	<input type="checkbox"/> Area
<input type="checkbox"/> Mechanical	Excavation	<input type="checkbox"/> Transect
<input type="checkbox"/> Auger	(e.g. shovel pit)	<input type="checkbox"/> Locality
	<input type="checkbox"/> Monitoring	<input type="checkbox"/> Haphazard
	<input type="checkbox"/> Controlled	<input type="checkbox"/> Other
	Excavation	



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**Appendix 4 – Site Gazetteer**

Table A5.1: Site Gazetteer

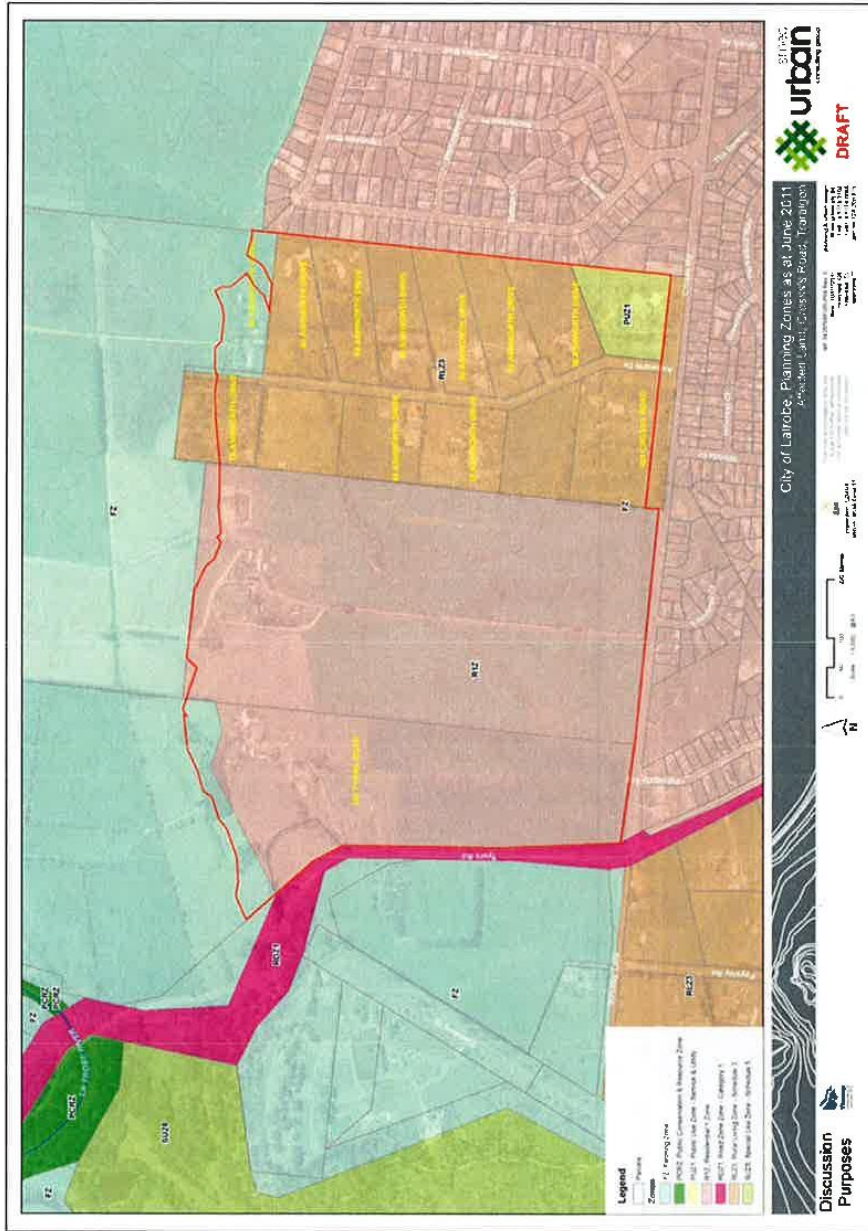
Site Name	Site Number	Primary Grid Coordinate (GDA 94, Zone 55)	Site Type	Landform	Cultural Heritage Significance
240 Cross's Road AS	VAHR 8221-0182	E 456587 N 5774269	Artefact Scatter	Ridgeline overlooking floodplain	Medium



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### Appendix 5 – Latrobe City Council Planning Scheme Zoning

#### Current Zoning Map





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## Appendix 6 – Heritage Victoria Correspondence regarding possible Historic Site

From: Mollie Harbour <[mharbour@ehpartners.com.au](mailto:mharbour@ehpartners.com.au)>  
To: "Jeremy Smith (Heritage Victoria)" <[jeremy.smith@dpcd.vic.gov.au](mailto:jeremy.smith@dpcd.vic.gov.au)>  
Date: 28/07/2011 12:14 PM  
Subject: query regarding possible site

Hi Jeremy,

Whilst doing a survey on Cross's Rd in Traralgon, I came across these two stone features on a driveway, and I'm after your opinion on whether or not these would be classed as a site.

It is two sections of stone paving; the second is about 3 m south of the first. There are no landform features to explain why they are there, and no other visible features to hint at what they features are.

Mollie Harbour

Heritage Advisor

E [mharbour@ehpartners.com.au](mailto:mharbour@ehpartners.com.au)

<http://www.ehpartners.com.au/images/signature/logo.jpg>

Natural and Cultural Heritage Consultants

MELBOURNE      GEELONG  
420 Victoria St, Brunswick VIC 3056      PO Box 8048, Newtown VIC 3220  
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**Archived:** Tuesday, 30 August 2011 12:14:55 PM  
**From:** [Jeremy.Smith@dpcd.vic.gov.au](mailto:Jeremy.Smith@dpcd.vic.gov.au)  
**Sent:** Sunday, 28 August 2011 10:46:58 AM  
**To:** Mollie Harbour  
**Subject:** Re: query regarding possible site  
**Importance:** Normal  
**Attachments:** ATT00001.jpg; ATT00002.jpg

---

Hi Mollie,

Sorry it has taken me a while to respond - I've been on leave for a month.

I've looked at the images, and think that the features you've identified would probably not be classed as a site unless there was supporting historical information to support the location of a significant structure (such as homestead, toll booth, gatehouse etc) in that area.

It may simply be part of the road surface, a gate installation, or a crossing point.

So unless some other evidence comes to light, by recommendation would be that a Heritage Inventory record is not required.

Under the terms of the heritage Act there is actually blanket protection for all historical archaeological sites. So, if during disturbance, significant archaeological remains were exposed in this area, they would be protected under the Act, even if the site had not been added to the Inventory.

Please let me know if you'd like to discuss this further.

regards

Jeremy.

Jeremy Smith Senior Archaeologist

Heritage Victoria

Department of Planning and Community Development

Level 14, 55 Collins Street, Melbourne, VIC 3000

T: 03 8644 8948 | F: 03 8644 8951 | Email: [Jeremy.smith@dpcd.vic.gov.au](mailto:Jeremy.smith@dpcd.vic.gov.au)

[www.dpcd.vic.gov.au](http://www.dpcd.vic.gov.au)



## Appendix 7 – Glossary

Items highlighted in *bold italics* in the definition are defined elsewhere in the glossary.

<b>AAV</b>	<b>Aboriginal Affairs Victoria.</b> A division of <b>DPCD</b> responsible for management of Aboriginal cultural heritage in Victoria.
<b>Aboriginal cultural heritage likelihood</b>	an area assessed by a Cultural Heritage Advisor as having potential for containing either surface or subsurface Aboriginal archaeological deposits. This term is used in this report to differentiate between <i>legislated areas of cultural heritage sensitivity</i> and areas considered by an archaeologist to be sensitive.
<b>Aboriginal site</b>	a location containing Aboriginal cultural heritage, e.g. <i>artefact scatter</i> , <i>isolated artefact</i> , <i>scarred tree</i> , <i>shell midden</i> , whether or not the site is registered in the <i>VAHR</i> , cf. <i>Aboriginal cultural heritage place</i> .
<b>Angular fragment</b>	an artefact which has technologically diagnostic features but has no discernible ventral or dorsal surface and hence is unidentifiable as either a flake or a core
<b>Area of cultural heritage sensitivity</b>	an area specified as an area of cultural heritage sensitivity in Division 3 or Division 4 of Part 2 of the <i>Aboriginal Heritage Regulations 2007</i> .
<b>Artefact scatter</b>	stone artefact scatters consist of more than one stone artefact. Activities associated with this site type include stone tool production, hunting and gathering or domestic sites associated with campsites. Stone artefacts may be flakes of stone, cores (flakes are removed from the stone cores) or tools. Some scatters may also contain other material such as charcoal, bone, shell and ochre.
<b>Assemblage</b>	the name given to encompass the entire collection of artefacts recovered by archaeologists, invariably classified into diagnostic items used to describe the material culture.
<b>Backed</b>	when one margin of a flake is retouched at a steep angle, and that margin is opposite a sharp edge. The steep margin is formed by bi-polar or hammer and anvil knapping. Also used to describe artefacts with backing, e.g. backed artefact.
<b>Backed artefact</b>	a class of artefact employed by archaeologists to describe artefacts which are backed. Sometimes divided into Elouera, Bondi Point, Microlith and Geometric.



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<b>Bipolar</b>	a flaking technique where the object to be reduced is rested on an anvil and struck. This process is identified by flakes with platform angles close to 90 degrees as well as apparent initiation from both ends. Some crushing may also be visible.
<b>Burials</b>	Aboriginal communities strongly associate burial sites with a connection to country and are opposed to disturbance of burials or their associated sites. General considerations for the presence of burial sites are the suitability of Sub surface deposits for digging purposes; with soft soil and sand being the most likely. They are more likely near water courses or in dunes near old lake beds or near the coast. Burials are often located near other sites such as oven mounds, <i>shell middens</i> or <i>artefact scatters</i> .
<b>Chert</b>	a cryptocrystalline siliceous sedimentary stone.
<b>CHMP</b>	<b>Cultural Heritage Management Plan.</b> A plan prepared under the <i>Aboriginal Heritage Act 2006</i> .
<b>Core</b>	an artefact which has technologically diagnostic features. Generally this class of artefact has only negative scars from flake removal, and thus no ventral surface, however, for the purposes of this research core has been employed to encompass those artefacts which were technically flakes but served the function of a core (ie. the provider of flakes).
<b>Cortex</b>	the weathered outer portion of a stone, often somewhat discoloured and coarser compared with the unweathered raw material.
<b>Decortications</b>	the process of removing cortex from a stone (generally by flaking).
<b>Deep ripping</b>	the ploughing of soil using a ripper or subsoil cultivation tool to a depth of 60 cm or more (see <i>significant ground disturbance</i> ).
<b>DPCD</b>	Department of Planning and Community Development. The Victorian State Government department, of which <i>AAV</i> is a part, responsible for management of Aboriginal cultural heritage in Victoria.
<b>Earths</b>	a term used to describe great soil groups such as Red Earths or Black Earths. The term also refers to gradational soils with an earthy fabric in their B horizons (subsoils).
<b>Flake</b>	an artefact which has technologically diagnostic features and a ventral surface.
<b>High impact activity</b>	an activity specified as a high impact activity in Division 5 of Part 2 of the <i>Aboriginal Heritage Regulations 2007</i> .
<b>HV</b>	<b>Heritage Victoria.</b> A division of <b>DPCD</b> responsible for management of historical heritage in Victoria.



<b>Isolated finds or artefacts</b>	isolated finds refer to a single artefact. These artefacts may have been dropped or discarded by its owner once it was of no use. This site type can also be indicative of further Subsurface archaeological deposits. These site types can be found anywhere within the landscape, however, they are more likely to occur within contexts with the same favourable characteristics for stone artefact scatter sites.
<b>Manuport</b>	an object which has been carried by humans to the site.
<b>Oriented length</b>	dimension measured according to the following criteria: The length of the flake from the platform, at 90° to force indicators such as ring-crack, bulb of percussion, force ripples and striations, to the opposing end. Where there were an insufficient number of features present to take this measurement, such as when the flake was broken, this variable was not recorded (sometimes referred to as percussion length).
<b>Oriented thickness</b>	dimension measured at 90° and bisecting the oriented width dimension. This was done from the ventral surface to the dorsal surface (sometimes referred to as percussion thickness).
<b>Oriented width</b>	dimension measured at 90° and bisecting the oriented length dimension. This was done from one margin to the other. As this measurement and oriented thickness, both rely on oriented length, these were not recorded where the oriented length was not recorded (sometimes referred to as percussion width).
<b>Procurement Quarries</b>	the process of obtaining raw material for reduction. stone quarries were used to procure the raw material for making stone tools. Quarries are rocky outcrops that usually have evidence of scars from flaking, crushing and battering the rock. There may be identifiable artefacts near or within The site such as unfinished tools, hammer stones, anvils and grinding stones.
<b>Quartz</b>	a crystalline form of silica.
<b>RAP</b>	<b>Registered Aboriginal Party.</b> An Aboriginal organisation with responsibilities relating to the management of Aboriginal cultural heritage for a specified area of Victoria under the <i>Aboriginal Heritage Act 2006</i> .
<b>Raw material</b>	the kind of stone the artefacts were manufactured from.
<b>Reduction</b>	the process of removing stone flakes from another pieces of stone. Generally this is performed by striking (hard hammer percussion) one rock with another to remove a flake.
<b>Registered cultural heritage place</b>	An Aboriginal site recorded in the <i>VAHR</i> , cf. <i>Aboriginal site</i> .



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<b>Retouch</b>	retouch is when a <i>flake</i> is removed after the manufacture of the original flake. This sequence can be observed when a flake scar is present and encroaches over the ventral surface and thus must have been made after the initial flake removal. Recorded whether retouch was absent or present on the artefact.
<b>Rock shelter</b>	a concave area in a cliff where the cliff overhangs; or a concave area in a tor where the tor overhangs; or a shallow cave, where the height of the concave area is generally greater than its depth.
<b>Scarred trees</b>	it is known that the wood and bark of trees have been used for a variety of purposes, such as carrying implements, shield or canoes. The removal of this raw material from a tree produces a 'scar'. The identification of a scar associated with Aboriginal custom as opposed to natural scarring can be difficult. The scar should be of a certain size and shape to be identifiable with its product; the tree should also be mature in age, from a time that Aboriginal people were still active in the area.
<b>Significant ground disturbance</b>	disturbance of topsoil or surface rock layer of the ground or a waterway by machinery in the course of grading, excavating, digging, dredging or <i>deep ripping</i> , but does not include ploughing other than <i>deep ripping</i> .
<b>Silcrete</b>	a silicified sedimentary stone, often with fine inclusions or grains in a cryptocrystalline matrix. Because of the nature of the grains in silcrete (a hindrance in knapping/flaking predictability) the stone is sometimes heat treated. This exposure to heat can be identified by the presence of pot-lidding as well as a 'lustre' to the stone which is otherwise absent in the stones' natural state. Exposure to sufficient heat homogenises the stone matrix and improves the knapping (flake path) predictive potential (Crabtree & Butler 1964; Mandeville & Flenniken 1974; Purdy 1974; Domanski & Webb 1992; Hiscock 1993; Domanski <i>et al.</i> 1994). Similar to indurated mudstone, it has also been demonstrated that silcrete from the Hunter Valley often turns a red colour after being exposed to heat (Rowney 1992; Mercieca 2000).
<b>Stone arrangements</b>	stone arrangements are places where Aboriginal people have deliberately positioned stones to form shapes or patterns. They are often known to have ceremonial significance. They can be found where there are many boulders, such as volcanic areas and are often large in size, measuring over five metres in width.
<b>Taphonomy</b>	the study of the processes (both natural and cultural) which affect the deposition and preservation of both the artefacts and the site itself.



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<b>Technology</b>	a form of artefact analysis which is based upon the knapping/manufacturing process, commonly used to subsequently infer behaviour patterns, cultural-selection and responses to raw material or the environment.
<b>Texture contrast soils</b>	also known as <b>Duplex soils</b> ; soils with a sharp contrast between the A horizon (topsoil) and B horizon (subsoil); often characterised by a sandy or loamy topsoil with a sharp clear boundary to a clay subsoil.
<b>Thumbnail scraper</b>	a conceptual class of artefact employed to describe small rounded retouched flakes with steep margins (based on the classification by Mulvaney & Kamminga 1999).
<b>VAHR</b>	<b>Victorian Aboriginal Heritage Register.</b> A register of Aboriginal cultural heritage places maintained by <b>AAV</b> .
<b>VHI</b>	<b>Victorian Heritage Inventory.</b> A register of places and objects in Victoria identified as historical archaeological sites, areas or relics, and all private collections of artefacts, maintained by <b>HV</b> . Sites listed on the VHI are not of State significance but are usually of regional or local significance. Listing on the VHR provides statutory protection for that a site, except in the case where a site has been "D-listed".
<b>VHR</b>	<b>Victorian Heritage Register.</b> A register of the State's most significant heritage places and objects, maintained by <b>HV</b> . Listing on the VHR provides statutory protection for that a site.



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INDICATIVE PLANTING SCHEDULE	
This indicative planting schedule promotes Indigenous and native plant species of the area and is based on the 'Indigenous Plants of Latrobe City'	
BOTANICAL NAME	COMMON NAME
<b>STREET TREES</b>	
<i>Eucalyptus mannifera</i> 'Little Spotty'	Little Spotty
<i>Corymbia maculata</i> 'Sale'	Spotted Gum
<i>Eucalyptus leucocylon</i> 'Rosea'	Pink Flowering Yellow Gum
<i>Pyrus calleryana</i> 'Chanticleer'	Callery Pear
<b>SHRUBS AND GRASSES</b>	
<i>Acacia aphylla</i>	Leafless Rock Wattle
<i>Acacia cognata</i> 'River Cascade'	Acacia 'River Cascade'
<i>Anigozanthos</i> 'Big Red'	Kangaroo Paw
<i>Anigozanthos</i> 'Bush Dawn'	Kangaroo Paw
<i>Anigozanthos</i> 'Bush Rebel'	Kangaroo Paw
<i>Anigozanthos</i> 'Rampaging Roy Slaven'	Kangaroo Paw
<i>Anigozanthos</i> 'Lilac Queen'	Kangaroo Paw
<i>Callistemon</i> 'Great Balls of Fire'	Dwarf Bottlebrush
<i>Carex appressa</i>	Tall Sedge
<i>Cotyledon orbiculata</i> 'Silver Waves'	Silver Flax Ear
<i>Croton exaltata</i> 'Edna Walling Croton'	Croton cultivar
<i>Dianella tasmanica</i> 'Tasred'	Dianella cultivar
<i>Dianella caerulea</i> 'Little Jess'	Dianella cultivar
<i>Ficinia nodosa</i>	Knobby Club Rush
<i>Grevillea</i> 'Goldfever'	Grevillea cultivar
<i>Grevillea</i> 'Jubilee'	Grevillea cultivar
<i>Grevillea</i> 'Pink Pearl'	Grevillea cultivar
<i>Isopogon formosus</i>	Rose Cone Flower
<i>Kalanchoe pumila</i> 'Quicksilver'	Kalanchoe Quicksilver
<i>Leptospermum obovatum</i> 'Lemon Bun'	Dwarf Tea Tree
<i>Leucophyta brownii</i> 'dwarf'	Dwarf Cushion Bush
<i>Lomandra confertifolia</i> 'Wingarra'	Lomandra cultivar
<i>Lomandra longifolia</i> 'Tanika'	Mat Rush cultivar
<i>Lomandra</i> 'Silver grace'	Lomandra cultivar
<i>Metaleuca</i> 'Little Red'	Dwarf Narrow leaf paper bark
<i>Orthrosanthus multiflorus</i>	Sweet Morning Iris
<i>Philotheca myoporoides</i> 'Winter Rouge'	Wax Flower cultivar
<i>Pimelia ferruginea</i> 'Magenta Mist'	Rice Flower
<i>Pimelia rosea</i> 'Snow Cloud'	Rose Banjine cultivar
<i>Prostanthera cuneata</i>	Alpine mint bush
<i>Xerochrysum</i> 'Sundaze White'	Paper Daisy
<b>GROUND COVERS</b>	
<i>Adenanthos cuneatus</i> 'Coral Carpet'	Coral Carpet cultivar
<i>Brachycome angustifolia</i> 'Maue Delight'	Grassland Daisy
<i>Casuarina glauca</i> 'Cousin It'	Dwarf Casuarina
<i>Derwentia perforata</i>	Prostrate
<i>Eremophila glabra</i> 'dwarf'	Dwarf Rosemary Grevillea
<i>Goodenia ovata</i> 'Golden Cover'	Goodenia prostrate
<i>Grevillea</i> 'Fanfare'	Grevillea cultivar
<i>Grevillea lanigera</i> 'Mount Tamboritha'	Prostrate Woolly Grevillea
<i>Hardenbergia</i> 'Edna Walling Snow White'	Snow White Happy Wanderer
<i>Hardenbergia violacea</i>	Happy Wanderer
<i>Scaevola albida</i> 'Maue Clusters'	Small Fruited Fan flower cultivar
<i>Senecio madraliscae</i> 'Blue Chalk Sticks'	Chalk Sticks
Riparian Planting for Drainage Corridor Areas	



A minimum of 3 plants of the same species to be planted	
<i>Carex appressa</i>	Tall Sedge
<i>Carex breviculmis</i>	Short Stem Sedge
<i>Carex inversa</i>	Knob Sedge
<i>Carex tereticaulis</i>	Rush Sedge
<i>Eleocharis acuta</i>	Common Spike-sedge
<i>Eleocharis pusilla</i>	Small Spike-sedge
<i>Juncus amabilis</i>	Hollow Rush
<i>Juncus flavidus</i>	Gold Rush
<i>Juncus subsecundus</i>	Finger Rush
<i>Lomandra spp.</i>	Mat Rush
<i>Persicaria subsessilis</i>	Britsly Water pepper
<i>Poa spp.</i>	Tussock Grass
<i>Pycnosorus globosus</i>	Billy Buttons
<i>Schoenus apogon</i>	Common Bog-sedge
<i>Triglochin procerum</i>	Floating Pond-weed
BANK PLANTING 200mm above NWL	
<i>Acenā novae-zealandiae</i>	Bidgee Widgee
<i>Dampiera stricta</i>	Blue Dampiera
<i>Dichandra repens</i>	Kidney Weed
<i>Dianella revoluta var revoluta</i>	Black Anther Flax Lily
<i>Erinacea nutans ssp nutans</i>	Nodding Saltbush
<i>Lomandra longifolia var longifolia</i>	Spiry-headed Mat Rush
<i>Merittha australis</i>	River Mint
EPHEMERAL MARSH 0-200mm below NWL	
<i>Carex bichenoviana</i>	Notched Sedge
<i>Carex tereticaulis</i>	Basket Sedge
<i>Crassula helmsii</i>	Swamp Crassula
<i>Eleocharis acuta</i>	Common Spike-sedge
<i>Juncus flavidus</i>	Gold Rush
<i>Juncus subsecundus</i>	Finger Rush

Revegetation AND Open Space Planting	
TREE PLANTING	
<i>Angophora costata</i>	Smooth Barked Apple
<i>Ailacasarina littoralis</i>	Black Sheoak
<i>Acacia dealbata</i>	Silver Wattle
<i>Acacia implexa</i>	Lightwood
<i>Acacia mearnsii</i>	Black Wattle
<i>Eucalyptus camaldulensis</i>	River Red Gum
<i>Eucalyptus tereticornis</i>	Forest Red Gum
<i>Eucalyptus ovata</i>	Swamp Gum
<i>Eucalyptus polyanthema</i>	Red Box
MEDIUM SHRUBS	
<i>Bursaria spinosa ssp. spinosa</i>	Sweet Bursaria
<i>Indigofera australis</i>	Austral Indigo
<i>Ozothamnus ferrugineus</i>	Tree Everlasting
<i>Kunzea ericoides</i>	White Tea Tree
SHRUBS AND GRASSES	
<i>Carex breviculmis</i>	Short Stem Sedge
<i>Lomandra filiformis</i>	Wattle Mat Rush
<i>Poa spp.</i>	Tussock Grass
<i>Themeda triandra</i>	Kangaroo Grass





# **Transport and Traffic Impact Assessment Report**

## **Cross's Road, Traralgon**

**For: 150B Property Pty Ltd c/o SMEC Urban  
DECEMBER 08, 2011**





Project Name:	Transport and Traffic Impact Assessment Report – Cross's Road, Traralgon
Project Number:	3004714.2
Report for:	150B Property Pty Ltd c/o SMEC Urban

**PREPARATION, REVIEW AND AUTHORISATION**

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## 1 INTRODUCTION

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### 1.1 Background

SMEC Australia Pty Ltd has been engaged by 150B Property Pty Ltd to prepare a Transport and Traffic Impact Assessment Report for the proposed residential subdivision of approximately 15.2 hectares of land at Cross's Road, Traralgon. The purpose of this report is to support the development plan and planning permit application.

### 1.2 Aim of this Report

This report aims to investigate and assess the following:

- Access arrangements to the proposed site; and
- Impact of traffic generated by the proposed development.

### 1.3 Report Structure

The transport and traffic impact assessment for this proposal covers the following five stages:

- Proposed Development
- Existing Conditions Assessment
- Transport Assessment
- Traffic Impact Assessment
- Internal Road Network Review.

### 1.4 References

The following references were used to assist in the preparation of this report:

- Austroads Guide to Traffic Management, Part 12: Traffic Impacts of Development
- Austroads Guide to Traffic Management, Part 3: Traffic Studies and Analysis
- Austroads Guide to Road Design, Part 4A: Unsignalised and signalised Intersections
- RTA Guide to Traffic Generating Developments, Version 2.2, October 2002
- Traffic Engineering and Management, K W Ogden and S Y Taylor, 1996
- Latrobe Planning Scheme, Particular Provisions – Clause 56.06
- Latrobe City Council Design Guidelines, Version 3.1, August 2003
- Latrobe City Council Population and Household Forecasts 2006 (dated 16/08/10).

## 2 PROPOSED DEVELOPMENT

### 2.1 Site Location

The subject site is located at 150 Tyers Road on the north-east corner of Tyers Road and Cross's Road in Traralgon, Victoria. The site is situated approximately 3.5km north-west of the Traralgon town centre.

The site is bounded by Cross's Road to the south, Tyers Road to the west, land zoned as Farming Zone (FZ) to the north, and land zoned as Residential 1 Zone (R1Z) to the east. Refer to Figure 1 for the site location.

The site covers an area of approximately 15.2 hectares.

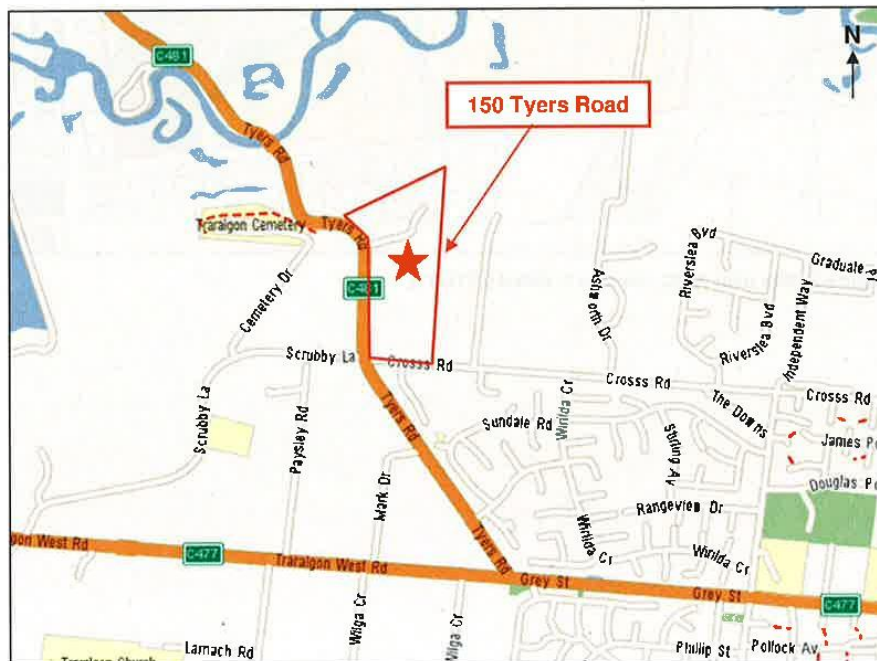


Figure 1: Locality plan (image reproduced with permission from Melways Pty Ltd)

### 2.2 Site Plan and Constraints

This transport and traffic impact assessment is based on developing the site with a proposed lot yield of 117 residential lots at full development, comprising of 107 standard density lots and 10 large lots. Vehicular access is proposed off Cross's Road with permeable road connections to the adjacent development.

The constraints of the development area are shown in Figure 2. They consist of transmission and water easements through the northern part of the site. These constraints provide restrictions to the developable area and the proposed subdivision layout plan.

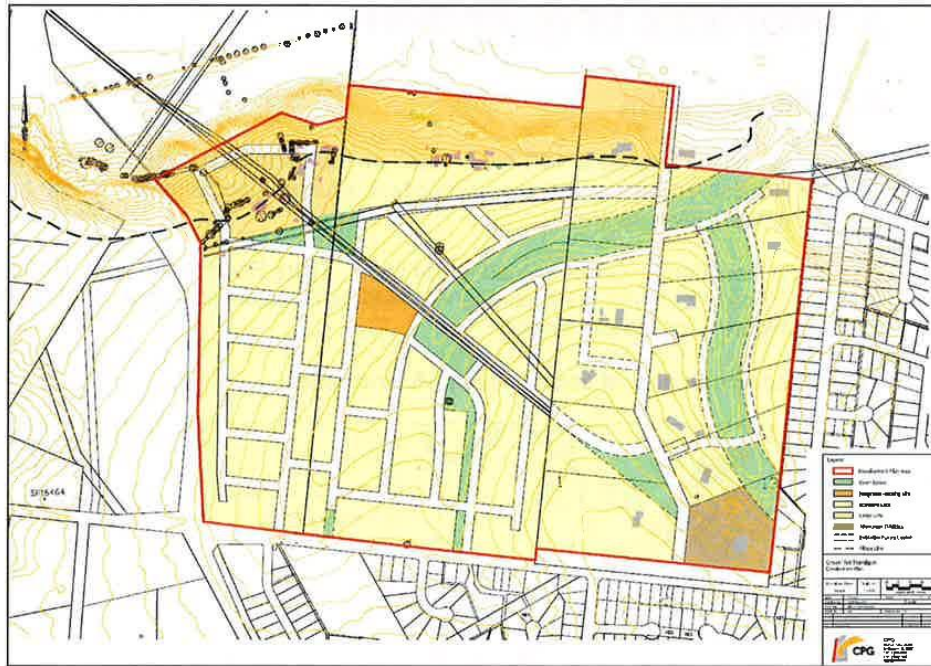


Figure 2: Site plan (CPG, version 1, dated 07/12/11)

### 3 EXISTING CONDITIONS ASSESSMENT

#### 3.1 Existing Road Network

An inspection of the proposed development site, Cross's Road, Tyers Road and Ashworth Drive was undertaken on Wednesday 29 September 2010, between the hours of 11am and 12pm.

##### 3.1.1 Cross's Road

Cross's Road, between Tyers Road and Riverslea Boulevard, is a sealed two-lane, two-way undivided rural road.

West of Wirilda Crescent, Cross's Road consists of an 8.0m wide carriageway made up of two 4.0m wide traffic lanes. Kerb and channel is present along the southern edge of the carriageway adjacent to the residential properties, while an open drain is present on the northern edge of the carriageway.

East of Wirilda Crescent, Cross's Road consists of an 8.0m wide carriageway made up of two 2.8m wide traffic lanes, a 1.9m wide parking lane along the southern edge of the carriageway and a 0.5m sealed shoulder on the northern edge of the carriageway.

Footpaths are provided at Cross's Road/ Wirilda Crescent and continue east along the southern edge of the carriageway adjacent to the residential properties.

The road alignment is straight with a gentle incline from Tyers Road to a crest at Wirilda Crescent. Refer to Photo 1 and Photo 2.

The posted speed limit on Cross's Road is 60km/h.



Photo 1: Cross's Road, looking east from Tyers Road





**Photo 2: Cross's Road, looking west from Riverslea Boulevard**

### 3.1.2 Tyers Road

Tyers Road to the north of its intersection with Cross's Road, is a sealed two-lane, two-way undivided rural road.

The road consists of a 6.0m wide carriageway made up of two 3.0m wide traffic lanes. The carriageway widens to 9.0m, and is made up of two 4.5m traffic lanes in the vicinity of the Cross's Road intersection. An unsealed shoulder and grassed verge of varying width, and open drain are present on both sides of the carriageway. Footpaths are not present.

The road alignment is flat and generally straight with a gentle bend to the right and a sharp bend to the left, northbound. The safe intersection sight distance on both approaches to Tyers Road complies with the Austroads Guidelines. Refer to Photo 3 and Photo 4.

The posted speed limit on Tyers Road is 100km/h.



**Photo 3: Tyers Road, looking south from Cross's Road**



Photo 4: Tyers Road, looking north from Cross's Road

### 3.1.3 Ashworth Drive

Ashworth Drive is a sealed two-lane, two-way undivided rural road. It provides connectivity to Cross's Road to the south and is truncated to the north.

The road consists of a 4.5m wide carriageway. An unsealed shoulder and grassed verge of varying width, and open drain are present on both sides of the carriageway. Footpaths are not present. The safe intersection sight distance on both approaches to Cross's Road complies with the Austroads Guidelines. Refer to Photo 5 and Photo 6.

The horizontal alignment of Ashworth Drive varies with a sharp bend to the left followed by moderate bend to the right, northbound.

There is no posted speed limit on Ashworth Drive.



Photo 5: Ashworth Drive, looking west along Cross's Road



Photo 6: Ashworth Drive, looking west along Cross's Road

## 3.2 Traffic Volumes

### 3.2.1 Mid-block Traffic Counts

VicRoads provided traffic volumes on Tyers Road to the north of Cross's Road, dated January 2010. Refer to Table 1.

Table 1: 2010 traffic volumes on Tyers Road

	Northbound	Southbound	Total	% Heavy Vehicles
<b>Tyers Road, north of Cross's Road</b>				
24 hour weekday average (veh/day)	1200	1300	2500	-
PM peak hour (3-4pm) (veh/hour)	128	113	277 (0.11 PHF*)	-

\* PHF = Peak Hour Factor

Latrobe City Council provided traffic volumes at the following locations dated March 2004:

- Cross's Road, 70m west of Wirilda Crescent
- Cross's Road, 300m east of Tyers Road.

Note that the traffic volumes on Cross's Road may pre-date the existing residential development located to the south of Cross's Road. Therefore these recorded traffic volumes would not be indicative of the current daily traffic volumes on Cross's Road.

In 2004, the highest 5-day average number of vehicles recorded during this survey along Cross's Road was approximately 548 vehicles westbound and 496 vehicles eastbound with an average peak hour factor of 0.112 and 0.115 in the AM and PM peak hours, respectively.

In order to estimate the current 24-hour weekday average volumes on Cross's Road, the existing PM peak hour factor of 0.115 was applied to the current PM peak hour volumes. Note that the current PM peak hour volume has been taken from the intersection turning movement counts as detailed in Section 3.2.3 below.

Referring to the traffic count data supplied by council, the PM peak hour is the critical peak period. Therefore, this assessment will analyse the impacts during the PM peak.

A summary of the projected 2010 traffic volumes for all vehicles on Cross's Road is provided in Table 2.

**Table 2: Projected 2010 traffic volumes on Cross's Road**

	Eastbound	Westbound	Total	% Heavy Vehicles
<b>Cross's Road, approaching Wirilda Crescent</b>				
24 hour weekday average (veh/day)	1113	887	2000	-
PM peak hour** (3-4pm) (veh/hour)	128	102	230 (0.115 PHF)	-

\*\* Calculated from the intersection turn counts

### 3.2.2 Existing Road Capacity

The one-way midblock capacity of a traffic lane on an undivided road with interrupted traffic flow is 900 vehicles per hour (source: Austroads Guide to Traffic Management Part 3: Traffic Studies and Analysis, Section 5.2).

Referring to Table 2, the highest one-way peak hour volume on Cross's Road, west of Wirilda Crescent, is 128 vehicles during the PM peak for the eastbound direction. Therefore, Cross's Road is currently operating at only 14% of its theoretical capacity during the PM peak.

The highest one-way peak hour volume on Tyers Road, north of Cross's Road, is 128 vehicles during the PM peak for the northbound direction. Therefore, Tyers Road is also currently operating at only 14% of its theoretical capacity during the PM peak.

### 3.2.3 Intersection Turning Movement Counts

Intersection turning movement surveys were conducted by Sky High Pty Ltd on Wednesday 13 October 2010 between the hours of 3pm and 6pm. Turning movement counts were undertaken at the following intersections:

- Cross's Road/ Tyers Road
- Cross's Road/ Wirilda Crescent
- Cross's Road/ Riverslea Boulevard.

Figure 3, Figure 4 and Figure 5 show the traffic volumes on each approach to the intersections during the PM peak hour.

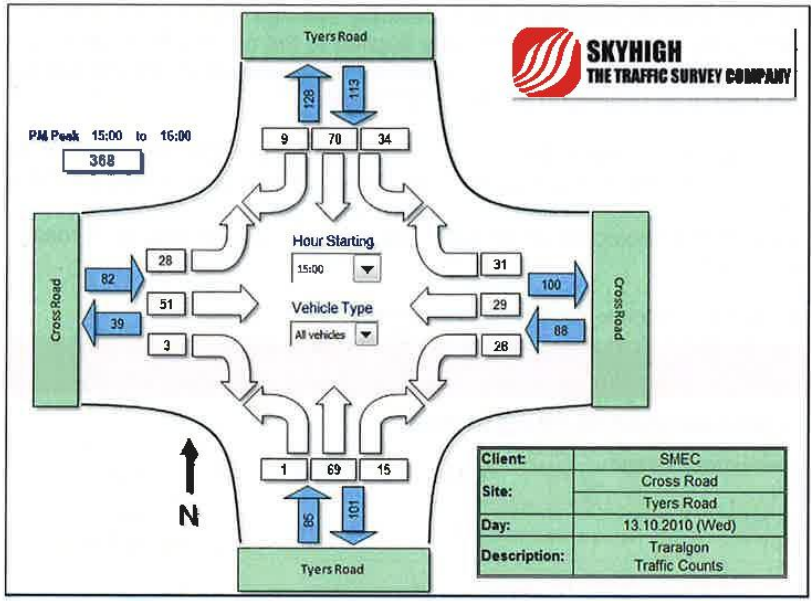


Figure 3: Traffic volumes at Cross's Road/ Tyers Road during PM peak

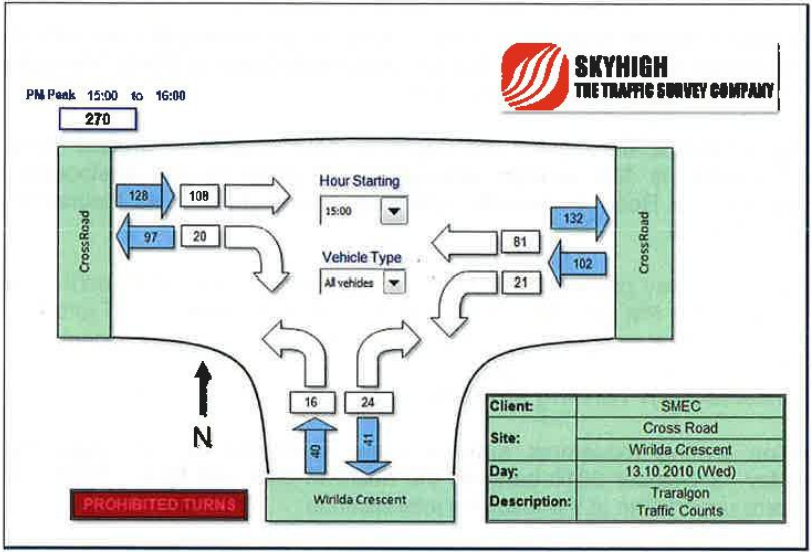


Figure 4: Traffic volumes at Cross's Road/ Wirilda Crescent during PM peak

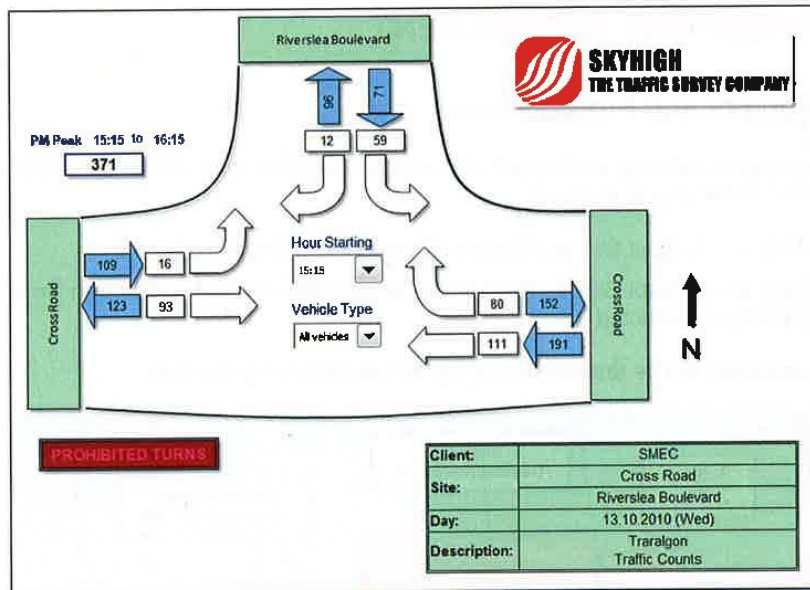


Figure 5: Traffic volumes at Cross's Road/ Riverslea Boulevard during PM peak

### 3.3 Casualty Accident Statistics

VicRoads' Crashstats database indicates that four casualty crashes have been recorded along the subject sections of Cross's Road and Tyers Road in the five-year period between January 2005 and December 2009.

Three of the crashes occurred along Tyers Road, just north of the Cross's Road intersection. The crash types involved a head-on collision (not overtaking), a vehicle losing control on Tyers Road, and a vehicle hitting an object on the carriageway. All crashes resulted in other injury.

One crash occurred at the Scrubby Lane/ Tyers Road intersection, just north of Cross's Road. The crash involved a right turning vehicle from Scrubby Lane colliding with a right turning vehicle from Tyers Road. The crash resulted in serious injury.

## 4 TRANSPORT ASSESSMENT

### 4.1 Subject and Future Sites

It is proposed to develop the subject site and the adjacent land to the east in two stages as follows. Refer also to Figure 6.

- Stage 1 – Subject Site and Eastern Development Site constructed
- Stage 2 – Subject Site, Eastern Development Site and Future Eastern Development Site fully constructed

This assessment will be undertaken for the full development scenario.

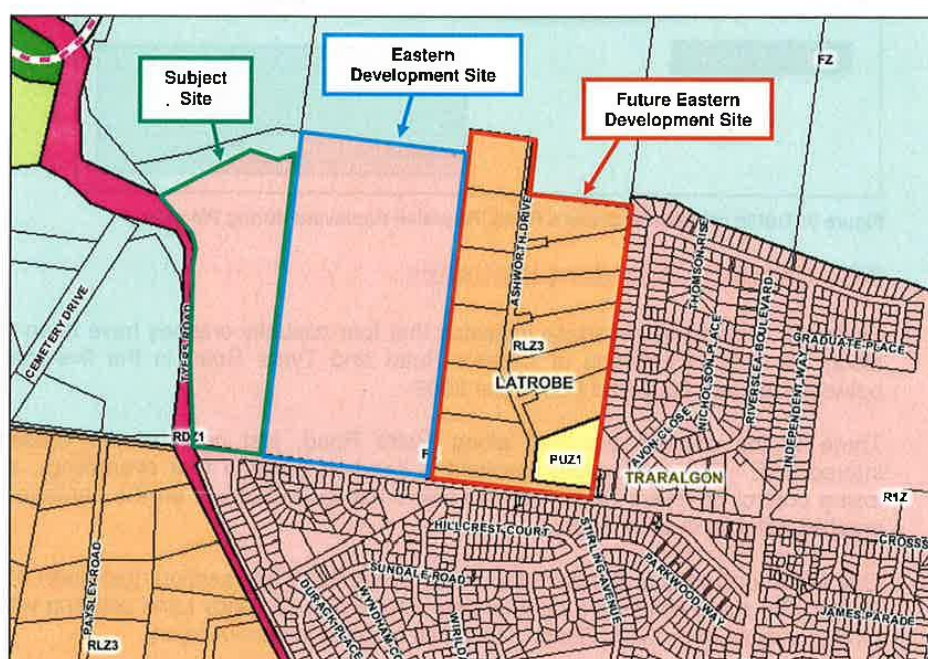


Figure 6: Land use plan (source: <http://services.land.vic.gov.au/maps/pmo>)

#### 4.1.1 Subject Site

The subject site has a total lot yield of 117 lots. This is made up of 107 standard density lots and 10 large lots.

#### 4.1.2 Eastern Development Site

The eastern development site comprises approximately 31.4 hectares and is zoned for residential use. The site has a proposed total lot yield of 293 lots. This is made up of 259 standard density lots, 11 large lots and 23 integrated lots.

#### 4.1.3 Future Eastern Development Site

The future eastern development site comprises approximately 30.4 hectares and is zoned for residential use. The site has a proposed total lot yield of 247 lots. This is made up of 242 standard density lots and 5 large lots.

## 4.2 Traffic Generation Rates

The RTA Guide to Traffic Generating Developments, Version 2.2, October 2002 has been used to source the traffic generation rates for the development area. Given that a residential subdivision is proposed, the traffic generation rates for dwelling houses and medium density buildings are appropriate.

The following Table 3 is an extract from the RTA Guide:

**Table 3: Land use traffic generation rates**

Land Use	Traffic Generation Rates	
	Daily Vehicle Trips	Peak Hour Vehicle Trips
<b>Residential</b>		
Dwelling houses (standard density and large lots)	9 per dwelling	0.85 per dwelling
Medium density residential flat building (integrated lots)	<i>Up to 2 bedrooms</i>	
	4-5 per dwelling	0.4-0.5 per dwelling
	<i>3 bedrooms or more</i>	
	5-6.5 per dwelling	0.5-0.65 per dwelling

Assuming an average of 2.3 bedrooms for the medium density housing lots, the following traffic generation rates will apply to this dwelling type:

- 5 daily vehicle trips per dwelling
- 0.5 peak hour vehicle trips per dwelling.

## 4.3 Traffic Generation

Stage 1 of the development will generate approximately 3,598 vehicle trips per day and 342 peak hour trips. With the future development site, approximately 5,821 vehicle trips per day and 552 peak hour trips will be generated. Table 4 shows a detailed breakdown.

**Table 4: Site traffic generation**

Development Site	No. of Lots	Proposed Daily Vehicle Trips	Proposed Peak Hour Vehicle Trips
<b>Subject Site</b>			
Conventional Density Housing	117	1,053	100
<b>Eastern Development Site</b>			
Conventional Density Housing	270	2,430	230
Medium Density Housing	23	115	12
<b>Sub-Total</b>	<b>410</b>	<b>3,598</b>	<b>342</b>
<b>Future Eastern Development Site</b>			
Conventional Density Housing	247	2,223	210
<b>Total Traffic Generation</b>	<b>657</b>	<b>5,821</b>	<b>552</b>



#### 4.4 Traffic Distribution

The generated traffic volumes from the full development area have been distributed to Cross's Road and Tyers Road. The percentage of traffic distributed to these roads is based on the traffic distribution pattern of the existing residential area entering Riverslea Boulevard.

The existing traffic volumes entering Riverslea Boulevard show that 83% of vehicle trips were generated from Cross's Road east (Traralgon town centre), 5% generated were from Tyers Road south and Wirilda Crescent, 8% were generated from Scrubby Lane west, and 4% were generated from Tyers Road north.

As the subject site is located towards Tyers Road, it is assumed that fewer vehicles will access the development from Cross's Road east and more vehicles will access the development from Tyers Road south. Therefore, the generated traffic volumes produced by the proposed development will be distributed to the surrounding road network as follows:

- 62% of traffic will be generated to/ from the east
- 26% of traffic will be generated to/ from the south
- 8% of traffic will be generated to/ from the west
- 4% of traffic will be generated to/ from the north.

Refer to Figure 7 for the percentage distribution of traffic volumes distributed to the surrounding road network:

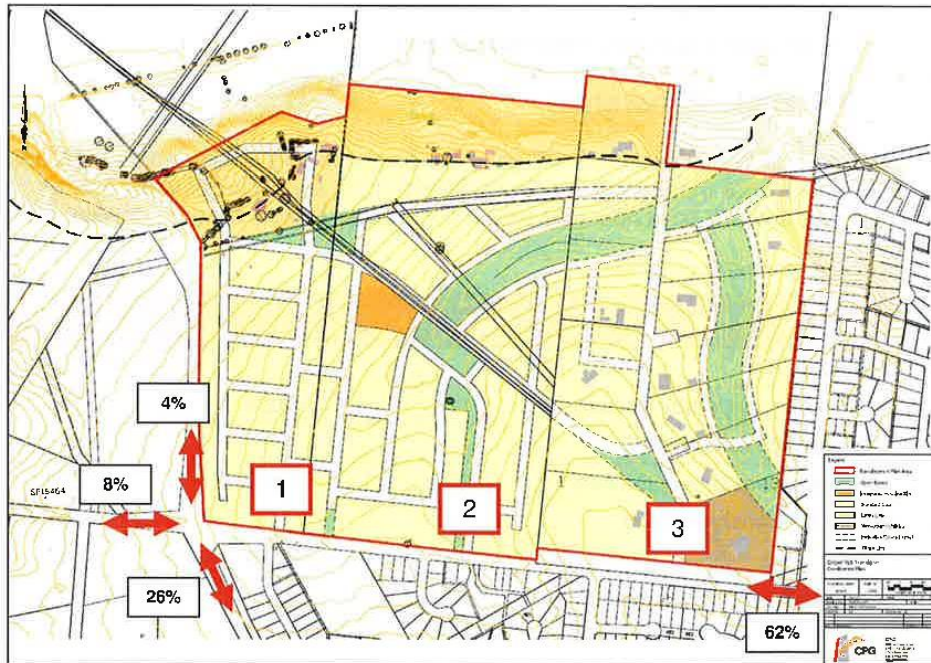


Figure 7: Percentage distribution of traffic volumes distributed to surrounding road network

The total trips generated by the full development have been proportioned to each access point as follows; 18% to Access Point 1, 45% to Access Point 2 and 37% to Access Point 3, refer to Figure 8. A higher percentage of trips have been assigned to Access Point 2 as the majority of the dwellings are aligned with this access point.

Based on the percentage of vehicle trips assigned to each access point, the directional traffic distribution has been estimated for vehicles entering and exiting the development area.

As the majority of vehicle trips originate from the east, the proportion of traffic generated from the east is higher at Access Points 2 and 3 when compared to Access Point 1. Access Point 2 has a lower proportion of vehicles travelling east when compared to Access Point 3 as it is assumed that vehicles will utilise Tyers Road to access the site.

Refer to Figure 8 for the percentage distribution of traffic volumes generated from the full development area.

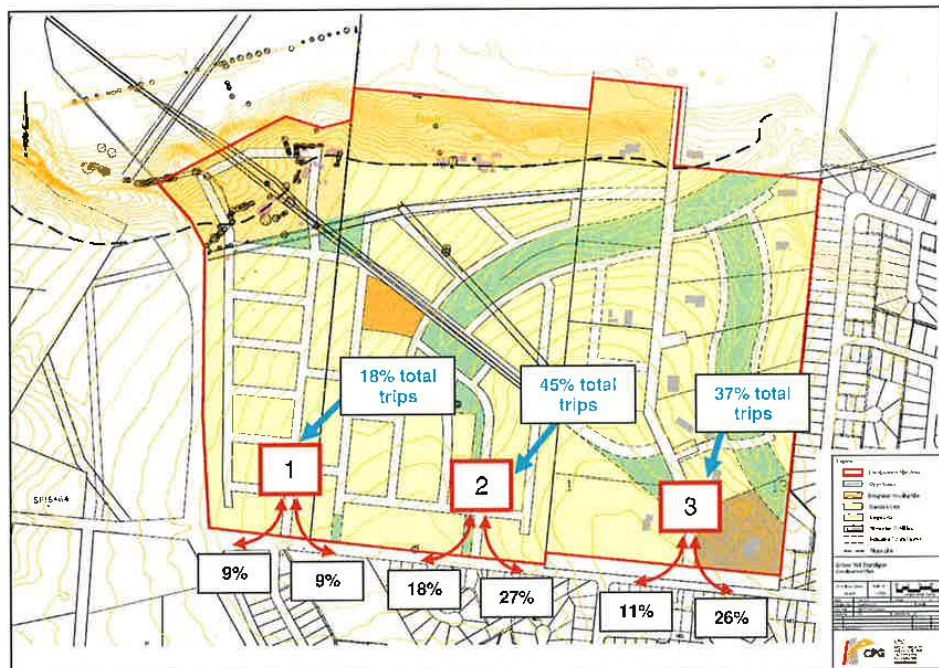


Figure 8: Traffic distribution at full development

## 4.5 Traffic Assignment

From the traffic generation and traffic distribution assumptions outlined above, traffic has been assigned to Cross's Road at full development. Table 5 summarises the predicted PM peak hour traffic movements at all existing and future access points along Cross's Road.

**Table 5: Peak hour vehicle movements accessing the proposed development site**

Intersection	PM Peak		
	Total Peak Hour Vehicle Trips	Out	In
Access Point 1: Cross's Road/ Future Road	100	40	60
Access Point 2: Cross's Road/ Future Road	248	99	149
Access Point 3: Cross's Road/ Ashworth Drive	204	82	122
<b>Total</b>	<b>552</b>	<b>221</b>	<b>331</b>

Note: Based on the directional split of 40% exit and 60% enter the development during the PM peak

## 5 TRAFFIC IMPACT ASSESSMENT

### 5.1 External Traffic Growth Rate

It is estimated that the average annual percent change in population growth for Traralgon is 1.5% per annum between 2006 and 2031. In order to estimate the future year external traffic volumes a 1.5% compounded growth per year has been added to the existing traffic volumes.

### 5.2 Mid-block Impact Assessment

The generated traffic volumes from the full development site have been distributed to Cross's Road. Refer to Figure 9.



Figure 9: Private vehicle trip distribution during the PM peak

#### 5.2.1 Impact on Cross's Road

Assuming that the site is fully developed in a 20 year timeframe and using a compounded growth rate of 1.5%, the expected eastbound and westbound traffic volumes on Cross's Road in the PM peak hour will be as follows:

- 172 eastbound vehicle trips on Cross's Road
- 137 westbound vehicle trips on Cross's Road.

Assuming that 38% of site traffic use Tyers Road/ Scrubby Lane to enter the site from Cross's Road, west approach, there would be approximately 126 extra vehicles travelling in an eastbound direction along Cross's Road.

As stated above, it is estimated that the existing eastbound traffic volume on Cross's Road will grow to 172 vehicle trips in the future year. Therefore, the maximum peak hour traffic volume on Cross's Road directly east of the Tyers Road intersection would be 298 vehicles.

As a result, the eastbound traffic lane on Cross's Road would operate at 33% of its capacity during the PM peak hour.

Given that 62% or 205 vehicles are expected to enter the site from Cross's Road, east approach, and that the existing westbound traffic volume on Cross's Road is estimated to grow to 137 vehicle trips in the future year, the maximum peak hour traffic volume on Cross's Road directly east of the site would be 342 vehicles.

As a result, the westbound traffic lane on Cross's Road would operate at 38% of its capacity during the PM peak hour.

### 5.2.2 Impact on Tyers Road

Assuming that the site is fully developed in a 20 year timeframe and using a compounded growth rate of 1.5%, the expected northbound and southbound traffic volumes on Tyers Road in the PM peak hour will be as follows:

- 172 northbound vehicle trips on Tyers Road
- 152 southbound vehicle trips on Tyers Road.

Assuming that 4% of generated vehicle trips exit the site and turn right onto Tyers Road, there would be an additional 9 vehicles travelling in a northbound direction along Tyers Road.

As stated above, it is estimated that the existing northbound traffic volume on Tyers Road will grow to 172 vehicle trips in the future year. Therefore, the maximum peak hour traffic volume on Tyers Road directly north of the Cross's Road intersection would be 181 vehicles.

As a result, the northbound traffic lane on Tyers Road would operate at 20% of its capacity during the PM peak hour.

Given that 4% or 13 vehicles are expected to enter the site from Tyers Road, north approach, and that the existing southbound traffic volume on Tyers Road is estimated to grow to 152 vehicle trips in the future year, the maximum peak hour traffic volume on Tyers Road directly north of the Cross's Road intersection would be 165 vehicles.

As a result, the southbound traffic lane on Tyers Road would operate at 18% of its capacity during the PM peak hour.

### 5.3 Access Point Assessment

Based on the site plan, two new access points to the development area are shown on Cross's Road; one to the east of Palmgate Terrace and one to the east of Ellenbrae Court. Both intersections would form a staggered T-junction with 'give way' control on the minor approach.

The existing alignment of Cross's Road at these locations is straight and flat. The safe intersection sight distance on both approaches to both intersections is greater than 250m which complies with the Austroads Guidelines. Refer to Photo 7 and Photo 8.



**Photo 7: Cross's Road at proposed Access Point 1, looking east**



**Photo 8: Cross's Road west of proposed Access Point 2, east of Ellenbrae Court**

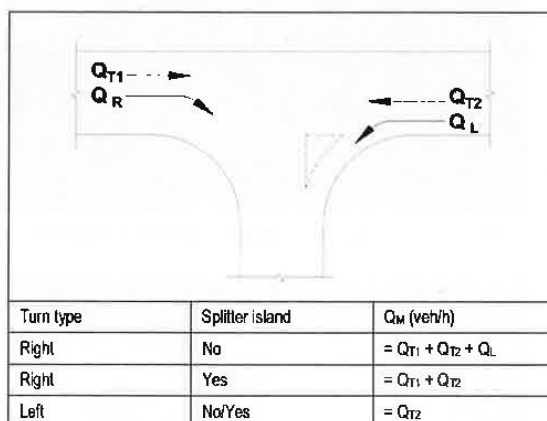
The site plan also shows an access point to the development area at the existing Cross's Road/ Ashworth Drive intersection. This intersection forms a T-junction with 'give way' control on the minor approach.

The existing alignment of Cross's Road at this location is straight and flat. The safe intersection sight distance on both approaches to both intersections is greater than 250m which complies with the Austroads Guidelines. Refer to Photo 5 and Photo 6 in Section 3.1.3 of this report.

## 5.4 Intersection Turn Warrants Assessment

Warrants for turn treatments are set out in Section 4.8 of the Austroads Guide to Road Design, Part 4A: Unsignalised and Signalised Intersections. These warrants apply to major road turn treatments for basic, auxiliary lane and channelised layouts.

Figure 4.9 of the Austroads guide has been used to assess if turn treatments are required at the proposed access points on Cross's Road. The values of the following traffic volume parameters;  $Q_M$ ,  $Q_L$  and  $Q_R$ , are calculated using Figure 4.10 of the Austroads guide, as shown below.



Refer to Appendix A for this assessment and Table 6 for a tabulated breakdown of the PM peak turn movements at the proposed Cross's Road intersections with the development site access points.

**Table 6: Turn treatment assessment at proposed access points on Cross's Road**

Major Road	Existing Intersection Layout	Through Movement ( $Q_M$ )	Turn Movement ( $Q_L$ or $Q_R$ )	Treatment Required (Yes/No)	Turn Treatment
<b>PM Peak</b>					
<b>Access Point 1:</b> Cross's Road/ Future Road	-	268	$Q_L = 30$	Yes	Auxiliary left (short)
	-	459	$Q_R = 30$	Yes	Channelised right (short)
<b>Access Point 2:</b> Cross's Road/ Future Road	-	228	$Q_L = 60$	Yes	Auxiliary left (short)
	-	440	$Q_R = 89$	Yes	Channelised right
<b>Access Point 3:</b> Cross's Road/ Ashworth Drive	Basic left	217	$Q_L = 37$	No	Basic left
	Basic right	510	$Q_R = 85$	Yes	Channelised right
Cross's Road/ Wirilda Crescent	Basic left	225	$Q_L = 56$	Yes	Auxiliary left (short)
	Basic right	511	$Q_R = 58$	Yes	Channelised right
Tyers Road/ Cross's Road	Basic left	94	$Q_L = 59$	No	Basic left
	Basic right	246	$Q_R = 106$	Yes	Channelised right (short)

Figure 10 and Figure 11 show the typical basic and auxiliary left turn treatments for a rural road. Figure 12 shows the typical channelised right turn treatment for a rural road.



Figure 10: Rural basic left turn treatment

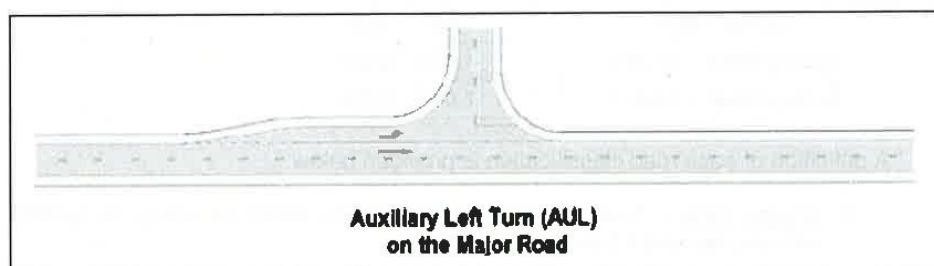


Figure 11: Rural auxiliary left turn treatment



Figure 12 : Rural channelised right turn treatment



## 6 INTERNAL ROAD NETWORK REVIEW

### 6.1 Road Hierarchy

The Latrobe Planning Scheme has been used to determine the road hierarchy for the proposed development site. The following Table 7 is an extract from Clause 56.06 of the Planning Scheme.

Table 7: Classification of urban roads

Classification	Traffic Volume (vehicles per day)
Access Lane	300
Access Place	300 – 1,000
Access Street – Level 1	1,000 – 2,000
Access Street – Level 2	2,000 – 3,000

A definition of each road classification is provided below:

- **Access Lane** – A side or rear lane principally providing access to parking on lots with another street frontage.
- **Access Place** – A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.
- **Access Street** – A street providing local residential access where traffic is subservient, speed and volume are low, and pedestrian and bicycle movements are facilitated.

Based on the road classification definitions and expected daily traffic volumes, the following road hierarchy has been developed for the current site plan, refer to Figure 13.

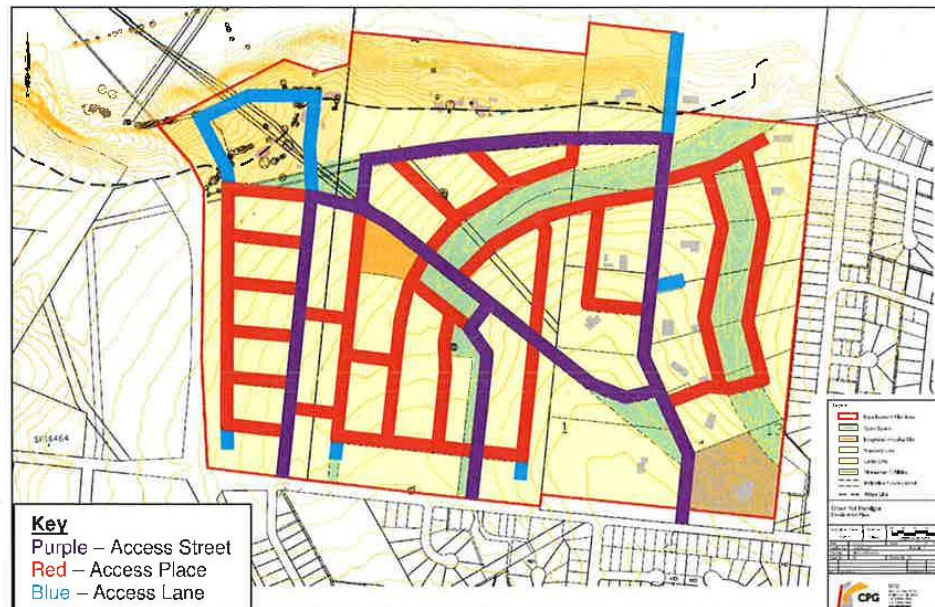


Figure 13: Road hierarchy concept plan

## 6.2 Road Cross Sections

Clause 56.06 of the Latrobe Planning Scheme sets out the road cross section configuration for each road type. Table 8 provides a summary of the cross section requirements for the road types proposed in the road hierarchy for the site.

**Table 8: Street widths, parking provisions and speed**

Street Type	Carriage-way Width <sup>^</sup>	Parking Provision Within Street Reservation	Minimum Verge Width (includes footpath)	Footpath Provision	Cycle Path Provision	Target Speed~ (km/h)
Access Lane	5.5m	None	None	None	None	10
Access Place	5.5m	1 hard standing verge space per 2 lots OR On carriageway, one side	7.5m total width (for services provide 3.5m one side and 2.5m other)	1.5m wide, minimum offset of 1m from kerb	None	15
Access Street – Level 1	5.5m	1 hard standing verge space per 2 lots	4m each side	1.5m wide both sides, minimum offset of 1m from kerb	Shared zone	30
Access Street – Level 2	7m-7.5m	Both sides	4.5m each side	1.5m wide both sides, minimum offset of 1m from kerb	Shared zone	40

<sup>^</sup> Carriageway width is measured from kerb invert to kerb invert.

~ Target speed is the desired speed at which motorists should travel.

## 7 FINDINGS

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The following findings are based on the assessment of the proposed access arrangements and the impact of traffic generated by the Cross's Road/ Tyers Road development in Traralgon.

- The full development site is expected to generate approximately 5,821 vehicle trips per day, including 552 trips in the peak hour.
- In order to estimate the future year external traffic volumes, a 1.5% compounded annual growth factor has been added to the existing traffic volumes.
- A directional split of 40% exit and 60% enter the development during the PM peak has been used to undertake the traffic assessment.
- The mid-block assessment indicates that the eastbound and westbound traffic lanes on Cross's Road would operate at 33% and 38% of their capacity, respectively, when the site is fully developed in 20 years time.
- The mid-block assessment indicates that the northbound and southbound traffic lanes on Tyers Road would operate at 20% and 18% of their capacity, respectively, when the site is fully developed in 20 years time.
- The proposed access point locations on Cross's Road are suitable. The safe intersection sight distance on both approaches to the access points comply with the Austroads Guidelines.
- The intersection turn warrant assessments of Access Points 1 and 2 indicate that auxiliary left and channelised right turn treatments are required on Cross's Road at these intersections.
- The intersection turn warrant assessment of Access Point 3 indicates that a basic left and channelised right turn treatment is required on Cross's Road at this intersection.
- The intersection turn warrant assessment of Cross's Road/ Wirilda Crescent indicates that an auxiliary left and channelised right turn treatment is required.
- The intersection turn warrant assessment of Tyers Road/ Cross's Road indicates that a basic left and channelised right turn treatment is required.
- The cross sections for the road types proposed in the road hierarchy for the site are to comply with Clause 56.06 of the Latrobe Planning Scheme.

## 8 CONCLUSION

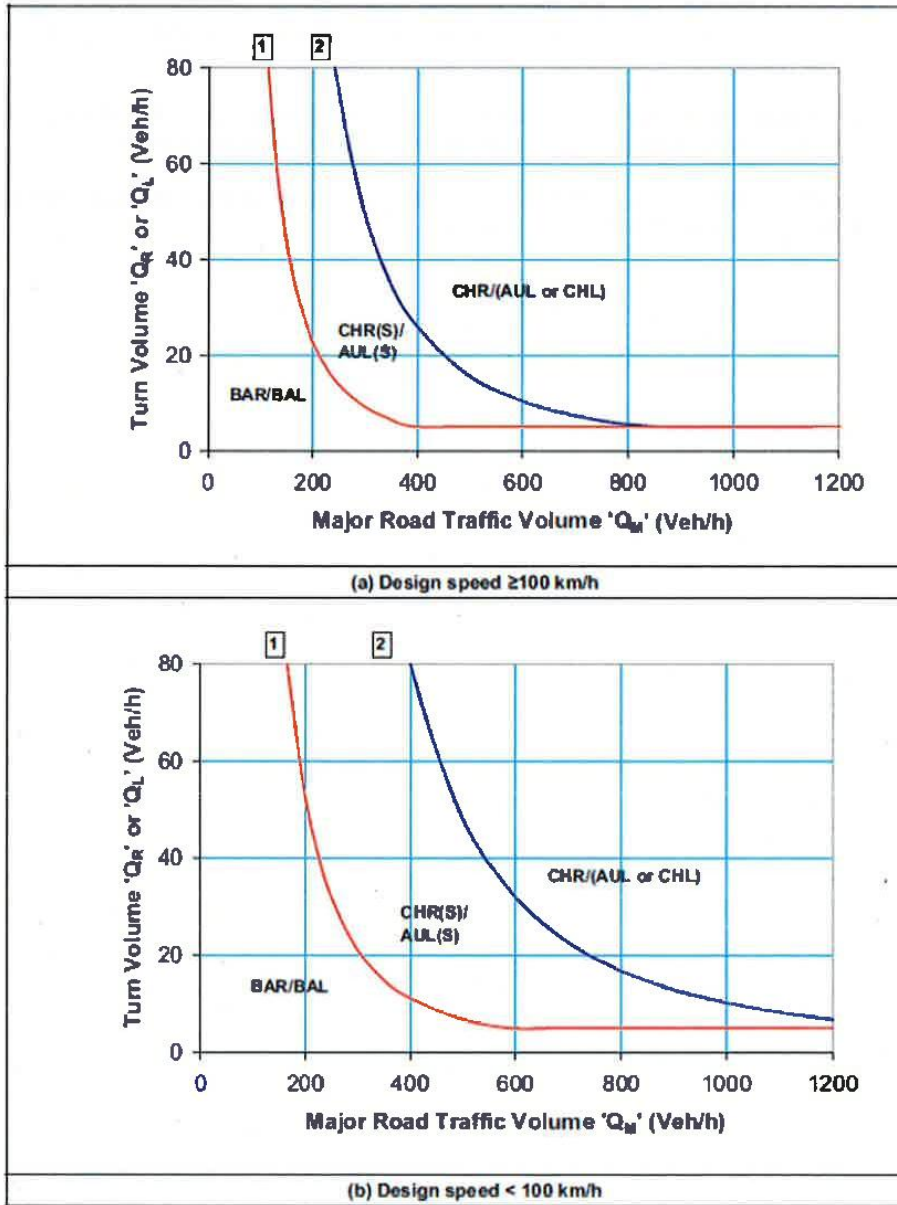
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Based on the site visit and this transport and traffic impact assessment, we are of the opinion that Cross's Road, Tyers Road and the surrounding road network can sustain further residential development at the subject site.

Our assessment shows that both Cross's Road and Tyers Road can sustain the generated traffic from the subject site when fully developed in 20 years time.

Therefore, there are no traffic and transport reasons as to why the residential subdivision of the subject site should not be granted.

**APPENDIX A – TURN WARRANTS ASSESSMENT**



Source: Amdt and Troutbeck (2006)

# PLANNING SCHEME AMENDMENT



January 2015

Ashworth Drive, Traralgon

**TPG Ref:** 3341

**Client:** Steve and Gayle Wood

# Planning Scheme Amendment

## ASHWORTH DRIVE, TRARALGON

### EXECUTIVE SUMMARY

This submission is to amend the Latrobe Planning Scheme insofar as it relates to the area known as 'Ashworth Drive' comprising a total of twelve (12) properties located on or adjacent to Ashworth Drive, Traralgon, including the property at 124 Cross's Road.

In particular, it is proposed to rezone the subject properties from Rural Living Zone – Schedule 3 (RLZ3) to General Residential Zone.

The site is located on the northern side of Cross's Road, Traralgon. The site sits on the north-western fringe of the Traralgon, wedged between existing and emerging residential neighbourhoods and farmland to the north, forming a transition between urban and rural development.

This submission sets out the existing conditions of the land including land ownership and current land use; an overview of the State and Local Planning Policy Framework including current zoning and overlays, as well as the approved Cross's Road Residential Precinct Development Plan.

In preparing this submission, The Planning Group have sought preliminary comments from a range of key stakeholders and referral agencies. Their responses form part of this submission.

Re-zoning of the land to General Residential Zone is required to facilitate the long term development of the land in accordance with the approved Cross's Road Residential Precinct Development Plan. Until this re-zoning takes place, the full potential of this land, which sits between two areas of existing and emerging residential development, cannot be realised.



## Document Information

Prepared for: Steve and Gayle Wood  
Job Reference: 3341  
Date: January 2015

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## Document Control

Version	Date	Author	Reviewer
Final	28 January 2015	Trisha Brice	Julie Katz



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## INTRODUCTION

This submission is to amend the Latrobe Planning Scheme insofar as it relates to the area known as 'Ashworth Drive' comprising a total of twelve (12) properties located on or adjacent to Ashworth Drive, Traralgon, including the property at 124 Cross's Road.

In particular, it is proposed to rezone the subject properties from Rural Living Zone – Schedule 3 (RLZ3) to General Residential Zone.

The site is located on the northern side of Cross's Road, Traralgon. The site sits on the north-western fringe of Traralgon, wedged between existing and emerging residential neighbourhoods and farmland to the north. Strategically the area has been designated for residential growth for the last 5 years.

## LANDOWNER CONSULTATION

A meeting was held by the proponents, Steve and Gayle Wood, at their home in Ashworth Drive on 28 March 2014 to discuss the proposed re-zoning. This meeting was well attended and local residents of Ashworth Drive were generally supportive of the proposed planning scheme amendment.

(Refer email to Jason Pullman from Julie Katz dated 26 June 2014)

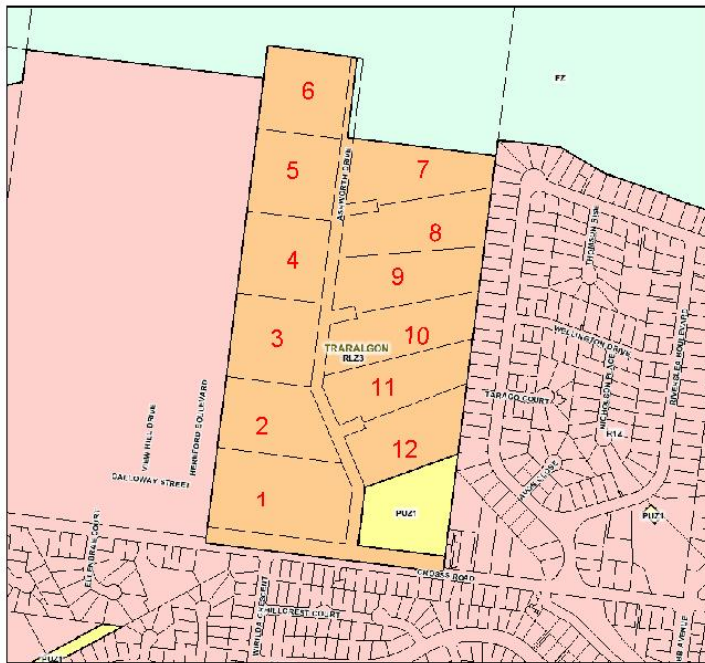
Subsequent to the initial lodgement of a request for planning scheme amendment, TPG on behalf of the proponents, have issued a letter update on 11 November 2014, and responded to direct enquiries regarding progress of the amendment request.

## SITE AND SURROUNDS

### THE SITE

The land to which this application relates comprises twelve (12) sites located within the Rural Living Zone – Schedule 3 (RLZ3), as illustrated by Figure 1 below.

The site is located on the northern side of Cross's Road, Traralgon. The site sits on the north-western fringe of the Traralgon, wedged between existing and emerging residential neighbourhoods and farmland to the north



Ref.	Lot no.	Street no.
1	1	124
2	2	
3	3	35
4	4	45
5	5	
6	6	75
7	7	60
8	8	50
9	9	40
10	10	30
11	11	20
12	12	16

FIGURE 1 SITE AND ZONING

## PROPERTY DETAILS

	<b>Address and Owner</b>	<b>Size (hectares) (approximately)</b>	<b>Description / Use</b>	<b>Comment</b>
1	124 Cross's Road  <i>Lot 1 PS 126409</i>  Gordon William Arthur & Sauni Arthur of 31 Cross's Road, Traralgon	3.08 ha	Existing dwelling / Residential	Generally support proposal; attended meeting with proponents on 28 March 2014.
2	<i>Lot 2 PS 126409</i>  Ralph Douglas Brown of Traralgon Creek Road, Koornalla	2.11 ha	Agricultural use	Generally support proposal; attended meeting with proponents on 28 March 2014.
3	35 Ashworth Drive  <i>Lot 3 PS 126409</i>  Gillian Louise Murray of 35 Ashworth Drive, Traralgon	2.02 ha	Existing dwelling / Residential  Agricultural use	Generally support proposal; attended meeting with proponents on 28 March 2014.
4	45 Ashworth Drive  <i>Lot 4 PS 126409</i>  Timothy James Rankcom & Sue Elizabeth Rankcom of 45 Ashworth Drive, Traralgon	1.98 ha	Existing dwelling / Residential  Agricultural use	Does not support proposal.
5	<i>Lot 5 PS 126409</i>  Robert Warwick Piper of 28 Grubb Avenue, Traralgon	1.98 ha	Agricultural use	Unsure.

## PLANNING SCHEME AMENDMENT | ASHWORTH DRIVE, TRARALGON



	<b>Address and Owner</b>	<b>Size (hectares) (approximately)</b>	<b>Description / Use</b>	<b>Comment</b>
6	75 Ashworth Drive <i>Lot 6 PS 126409</i>  Marie Frances Lowe of 12 Meadow Park Drive, Traralgon	1.98 ha	Existing dwelling / Residential  Vegetated/ agricultural use	Generally support proposal; attended meeting with proponents on 28 March 2014.
7	60 Ashworth Drive <i>Lot 7 PS 126409</i>  Terrance Alan Miller of 60 Ashworth Drive, Traralgon	2.09 ha	Existing dwelling / Residential  Agricultural use	Does not support proposal.
8	50 Ashworth Drive <i>Lot 8 PS 126409</i>  Steven Rowley Wood & Gayle Belinda Wood of Ashworth Drive, Traralgon	2.10 ha	Existing dwelling / Residential  Agricultural use	Proponents; support the proposal.
9	40 Ashworth Drive <i>Lot 9 PS 126409</i>  N. J. & N. F. Bransgrove Pty Ltd of 107 Main Street, Drouin	2.09 ha	Existing dwelling / Residential  Existing haulage business / Industry	Generally support proposal; attended meeting with proponents on 28 March 2014.
10	30 Ashworth Drive <i>Lot 10 PS 126409</i>  John William Moloney & Anne Therese Moloney of 21 Harvey Street, Newborough	2.11 ha	Existing dwelling / Residential  Existing haulage business / Industry  Agricultural use	Generally support proposal; attended meeting with proponents on 28 March 2014.

## PLANNING SCHEME AMENDMENT | ASHWORTH DRIVE, TRARALGON



	<b>Address and Owner</b>	<b>Size (hectares) (approximately)</b>	<b>Description / Use</b>	<b>Comment</b>
11	20 Ashworth Drive  <i>Lot 11 on PS 126409</i>  David Norman Blackwood & Lisa Jean Blackwood of 11 Ashworth Drive, Traralgon	2.00 ha	Existing dwelling / Residential  Existing haulage business / Industry	Generally support proposal; attended meeting with proponents on 28 March 2014.
12	16 Ashworth Drive  <i>Lot 11 PS 126409</i>  Peter Goy & Judith Goy of 91 Henry Street, Traralgon	2.00 ha	Existing dwelling / Residential  Agricultural use	Unsure.

A copy of the relevant Titles is included as **Appendix 1** to this report.

## EXISTING CONDITIONS

### Waterways

There is an existing waterway which traverses generally in a north-south direction within the properties located on the eastern side of Ashworth Drive. This waterway connects to another waterway which traverses in a south-west direction towards Cross's Road.

### Vegetation

The site includes scattered exotic and native vegetation around existing buildings and along road frontages, including remnant River Red Gums.

### Landform

There is a local highpoint located within the property at 60 Ashworth Drive, and a ridgeline extending across the north of the site in an east-west direction through the adjacent properties to the west.

### Reticulated Servicing and Infrastructure

Existing services and infrastructure are set out in the associated Cross's Road Residential Precinct Development Plan. Notably, service infrastructure includes:

- A Gippsland Water water treatment plant located on a 1.7ha property at 110 Cross' Road in the south east corner of the site. A water main supplying drinking water to the township of Tyers extends from the treatment plant and traverses the site diagonally to the north east corner, within a water supply easement.
- An existing 22kV overhead power line runs north-south and a 66kV overhead power line runs east-west through lots 5 and 7.

## SURROUNDING ENVIRONS

North of the subject site, land is zoned Farming Zone and accordingly, comprises rural land uses.

South of the subject site comprises the established residential development accessed via Wirilda Cres and Parkwood Way. East of the subject site is the established residential development accessed via Cross's Road and Riverslea Boulevard.

West of the subject site is land zoned for residential purposes whereby construction is taking place for the development of housing. Refer Figure 2 below.

## PLANNING SCHEME AMENDMENT | ASHWORTH DRIVE, TRARALGON



FIGURE 2 AERIAL PHOTO - NEARMAP

The aerial photo is also included as **Appendix 2** to this report.



## OVERVIEW OF THE PLANNING FRAMEWORK

### ZONES AND OVERLAYS

#### Zones

The land is presently included in the Rural Living Zone – Schedule 3. The purpose of the Rural Living Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Having regard to the purpose of the zone, the zone provisions provide for a dwelling on a minimum lot size of 2 ha as a Section 1 Use, permit not required. Use of the land for a dwelling must also comply with the requirements of Clause 35.03-2 which sets out obligations in respect of access, sewerage disposal, water supply, and electricity supply.

A permit is also required for subdivision in accordance with Clause 35.03-3. Consistent with this Clause and the associated Schedule 3 to the Rural Living Zone, the minimum lot size for subdivision is 2 ha.

#### Overlays

The area is covered by a Development Plan Overlay – Schedule 5 (DPO5) – Residential Growth Areas. The Overlay states that for the subject land a Development Plan must be prepared which sets out, amongst other things:

- *“The overall subdivision of the area, including where possible, the size and density of allotments which provide opportunities for a range of housing types; and*
- *The overall pattern of development of the area, including any proposed re-zoning of land and proposed land uses.”*

A copy of the zoning and overlay maps are included as **Appendix 3 and 4** to this report.

## CROSS'S ROAD RESIDENTIAL PRECINCT DEVELOPMENT PLAN

The Cross's Road Residential Precinct Development Plan (31 August 2012) has been prepared by CPG and SMEC on behalf of landowners and approved by Council, and provides a framework in accordance with DPO5 of the Planning Scheme for the coordinated and staged residential development of approximately 76 Ha of land at 240 Cross's Road, 150 Tyers Road and includes all of land at Ashworth Drive, that is the subject of this re-zoning.

*"The Plan aims to achieve a high quality development which will provide over four hundred residential lots of varying size when fully developed."*

The Plan addresses matters of land use and subdivision, waterways, infrastructure services, open space, flora and fauna and cultural heritage and has been prepared in collaboration with organisations including Latrobe City Council, Gippsland Water, West Gippsland Catchment Management Authority, VicRoads, DSE, EPA, SP Ausnet and CFA.

Key features of the Plan include:

- an integrated open space network;
- high quality urban design outcomes;
- quality recreational amenities for future residents; and
- a mix of residential lot sizes.

A copy of the Development Plan is included as **Appendix 6** to this report.

Key features as they relate to the Ashworth Drive area of land are:

<i>Element</i>	<i>DP Proposal</i>
Open Space and Drainage	Linear parkland reserve along waterway corridor which provides for the protection of remnant River Red Gum and provides additional drainage function also.  Linear park also provided along local water main easement.
Road Network	Ashworth Drive forms the basis for the internal road layout, with connections provided to the adjoining land to the west.
Residential Lot Sizes	"Standard" size residential lots proposed, along with small number of "large" size lots`.

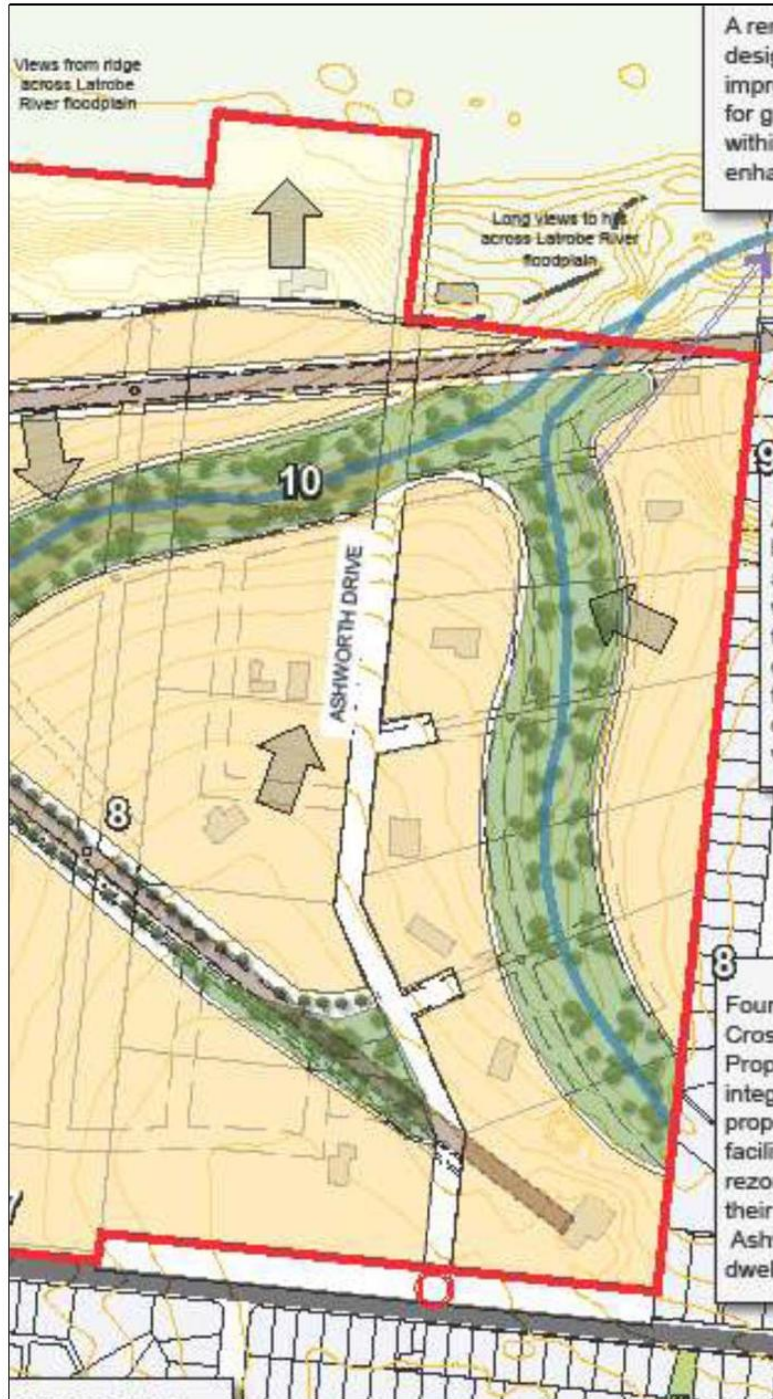


Figure: Extract from Figure 4 Design Response – Cross’s Road Residential Precinct Development Plan approved in August 2012.

## STATE PLANNING POLICY FRAMEWORK

Relevant to the proposed re-zoning of the subject land are the following clauses from the State Planning Policy Framework (SPPF):

### Clause 10 Operation of the State Planning Policy Framework

The State Planning Policy Framework “...seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.”

### Clause 11 Settlement

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

#### Clause 11.02 Urban Growth

This Clause seeks to ensure there is a sufficient supply of land available for residential and other uses. As part of the implementation of this policy, planning authorities are encouraged to consider opportunities for the consolidation, redevelopment and intensification of existing urban areas.

#### Clause 11.02-3 Structure Planning

This Clause seeks to facilitate the orderly development of urban areas through the preparation of strategic planning documents and associated plans, taking into account the strategic and physical context of the location.

### Clause 15 Built Environment and Heritage

Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and seeks to protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Planning should achieve high quality urban design and architecture that:

- *Contributes positively to local urban character and sense of place.*
- *Reflects the particular characteristics, aspirations and cultural identity of the community.*
- *Enhances liveability, diversity, amenity and safety of the public realm.*
- *Promotes attractiveness of towns and cities within broader strategic contexts.*

- *Minimises detrimental impact on neighbouring properties.*

#### **Clause 15.01 Urban Environment**

This Clause seeks to create urban environments that are safe, functional and provide good quality with a sense of place and cultural identity. Planning authorities are to ensure good urban design is promoted, and that development (and redevelopment) contributes to the community by improving safety, diversity and choice and responds to its context in terms of urban character.

#### **Clause 16.01 Residential Development**

This Clause promotes a housing market that meets community needs. Planning authorities are to facilitate an increase in the supply of housing in existing and growth urban areas, which is of good quality design and integrated within infrastructure and services. Higher density housing development on sites located close to activity centres, employment corridors and public transport is encouraged.

### **LOCAL PLANNING POLICY FRAMEWORK**

Relevant to the proposed re-zoning of the subject land are the following clauses from the Local Planning Policy Framework (LPPF):

#### **Clause 21.01 Municipal Profile**

This clause makes note of Latrobe's regional location, proximity to Melbourne and key features which make it a desirable place to live. Traralgon along with Morwell, Moe and Churchill accommodates approximately 75% of the overall Latrobe regional population.

#### **Clause 21.02 Municipal Vision**

Updated in 2010, the adopted Council and Community Vision is contained in *Latrobe 2021- The Vision for Latrobe Valley* and is of:

- *A vibrant region;*
- *A caring and enterprising community;*
- *A harmonious community; and*
- *A sustainable, safe, secure region.*

Included within Clause 21.02 is the Latrobe City Strategic Land Use Framework Plan. The Plan identifies key actions for Traralgon including the preparation of a Town Centre Plan, promotion of Traralgon as a commercial centre, and implementation of the Traralgon Structure Plan.

#### **Clause 21.04 Built Environment Sustainability**

Clause 21.04 sits alongside Clause 21.05 in setting out the overall land use framework for the smaller and larger settlements within the Latrobe region, as a 'networked city'. Whilst providing

opportunities for each town to “...grow in its own right and maintain a 10 to 15 year urban land supply...” the policy states that:

*“Central to the concept of the networked city is acceptance by the community that higher order services and facilities (such as an art gallery or civic centre) that are provided in only one location can benefit the whole community and not just the town in which they are located. This should continue as the roles of towns evolve over time in response to changing social and economic influences...”*

*The role of the smaller settlements is to provide important diversity of housing and lifestyle as well as to be rural service centres.”*

The Policy goes on to state that due to land use constraints around the major towns, “...there is a there is an increasing need to reduce average residential property sizes so the remaining land is consumed at a more sustainable rate.”

The Policy cautions against unnecessary urban expansion and rural subdivision, and seeks to contain urban development within distinct boundaries. There is to be a clear distinction between each urban settlement, facilitating the self-containment and identity of each settlement.

#### **Clause 21.05 Main Towns**

This Clause sets out the Structure Plans for the ‘Main Towns’ within the overall ‘networked city’ of Latrobe. This includes Traralgon at Clause 21.05-6 and the attached Traralgon Structure Plan.

The subject land is identified on the Structure Plan as being within Area 1, Future Residential adjacent to the boundary on the north-western extent of the township, abutting an existing floodplain area to the north, an area denoted as ‘existing residential opportunity’ (east) and a further area similar denoted as ‘future residential’ (west), as set out in Figure 3 below.

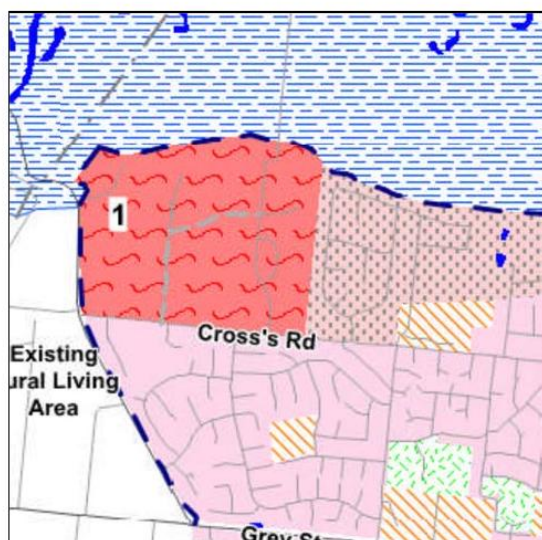


FIGURE 3 EXTRACT FROM TRARALGON STRUCTURE PLAN

With respect to residential land use, the accompanying policy states, amongst other things:

- *“Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan; and*

*Where appropriate, mitigate flooding and encourage residential development within Areas 1, 11, and 12.* This proposal seeks to implement the endorsed development plan (Cross’s Road Residential Precinct Development Plan), integrating conventional residential and environmental constraints of the subject land. The land related to this amendment are the last remaining parcels to be rezoned as part of the Development Plan.

#### **Clause 21.08 Liveability**

This Clause seeks to *“...enhance the quality of residents’ lives by encouraging positive interrelated elements including safety, health, education, quality of life, mobility and accessibility, and sense of place”* and includes a number of strategies to achieve this.

Relevant to the proposal are the following issues associated with liveability, as identified in the policy:

- *The main towns of Latrobe City are experiencing growth. As these towns continue to grow, new residential development is located further from town centres, and therefore access to services and community facilities is reduced.*
- *New residential development on the fringe of expanding main towns within Latrobe City are at risk of being disconnected from community services and facilities without walkable access to local hubs.*

To address these issues, Council seek, amongst other things:

- *To provide for walkable neighbourhoods, ensuring public transport, shops, public open space and mixed-use community centres are close to all dwellings.*
- *To promote physical activity and walkability in all towns by ensuring all dwellings are within close walking distance of a community centre.*

#### **PLANNING REFORM – NEW RESIDENTIAL ZONES**

New and reformed residential zones have been introduced across Victoria, whereby the existing Residential 1, 2 and 3 zones are now replaced by a Residential Growth Zone, General Residential Zone and Neighbourhood Residential Zone. These zones came into effect on 1 July 2014, noting that:

- Three new residential zones were introduced into the Victoria Planning Provisions by Amendment V8, gazetted on 1 July 2013;
- The three amended residential zones, two new commercial zones and three amended industrial zones were introduced into the Victoria Planning Provisions and planning schemes by Amendment VC100, gazetted on 15 July 2013 ; and
- The reformed rural zones were introduced into the Victoria Planning Provisions and planning schemes by Amendment VC103, gazetted on 5 September 2013.

Councils had one year to strategically apply the new residential zones into their local planning schemes and finalisation was required by 1<sup>st</sup> July 2014.

In regards to the Latrobe municipality, because the reformed residential zones had not been applied, land that was previously in the Residential 1, 2 or 3 zone was rezoned to General Residential Zone as part of Amendment VC116<sup>1</sup>.

It is noted that the reforms do not extend to include re-zoning of land zoned Rural Living Zone.

## CURRENT PLANNING SCHEME AMENDMENTS

### **Amendment C84 / Residential Zones Standing Advisory Committee**

Council has recently completed Amendment C84 which sought to apply the new residential zones across the municipality in a more refined manner, as opposed to the blanket application of the General Residential Zone applied under Amendment VC116. To assist with this process, Council worked with the Residential Zones Standing Advisory Committee (appointed by the Minister to advise on the method and application of introducing the new residential zones into local planning schemes).

Specifically, the amendment replaced the Residential 1 Zone in Churchill, Morwell, Moe and Traralgon by introducing the:

- *Neighbourhood Residential Zone in heritage precincts and areas affected by environmental constraints; Residential Growth Zone in 'Transit City Areas' in Morwell, Moe and Traralgon and an area close to Churchill's Primary Activity Centre.*
- *General Residential Zone in all residential areas not included in the two other zones.*

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<sup>1</sup> Amendment VC116, gazetted on 1 July 2014, applied the General Residential Zone to any land previously zoned Residential 1, 2 and 3 not already included in a new residential zone. The amendment also removed the Residential 1, 2 and 3 Zones from the Victoria Planning Provisions and all planning schemes.



It is understood that the Ashworth Drive area and the neighbouring Cross's Road Development Plan area was initially proposed to be included by Council in a Neighbourhood Residential Zone. This proposal was not supported due to the existing Rural Living Zone being outside the Advisory Committee terms of reference.

The Report of the Standing Advisory Committee advises that the Committee did not support the application of the Neighbourhood Residential Zone in growth areas with endorsed Development Plans. It is understood that based on the findings of the Standing Advisory Committee, that the application of the General Residential Zone to the subject land is generally supported by Council.

#### **Amendment C87 - Traralgon Growth Areas Review (TGAR)**

TGAR is intended to provide a growth strategy that identifies areas for future urban development (i.e. housing, commercial, industrial and open space) around Traralgon, Traralgon-Morwell Corridor, Glengarry and Tyers up to the year 2051.

The Amendment introduces the Traralgon – Morwell Growth Framework Plan to the Municipal Strategic Statement to provide an overarching strategy for the long-term growth of these two main towns. The Growth Framework Plan and Traralgon West Growth Corridor Structure Plan envision the gradual development of the Traralgon West Growth Corridor, linking Morwell and Traralgon together to form a continuous urban area.

TGAR forecasts population growth in Traralgon to 2051, identifying the need for approximately 11,500 extra dwellings based on a high growth scenario. Current estimates suggest approximately 5,500 vacant lots in Traralgon taking into account infill development, endorsed development plans and land identified as future residential in the current Traralgon Structure Plan.

#### **Amendment C56**

It is noted that the land at 150 Tyers Road and 240 Cross's Road, covered by the same DPO5 and approved Development Plan as the subject land, was rezoned from Farming Zone to Residential 1 Zone as part of Amendment C56 on 5 May 2011.

### **SUMMARY AND IMPLICATIONS OF PLANNING POLICY FRAMEWORK**

The current zoning of the subject land implies that future residential development will be of a low scale in a rural setting and that there may be non-residential, agricultural land uses occurring, provided that they do not affect the amenity of adjacent, surrounding land uses.

The current zoning is at odds with the strategic direction sought by Council at the Local Policy level. Furthermore, the current zoning is at odds with the existing and emerging development occurring immediately to the south, west and east of the subject site. Rather, the zoning of the site needs to reflect its relationship to surrounding land, and the fact that the future residential

**PLANNING SCHEME AMENDMENT | ASHWORTH DRIVE, TRARALGON**

development of the land will be an extension to existing urban development, in accordance with an approved Development Plan.

## THE PROPOSAL

### THE PROPOSED AMENDMENT

This submission requests the exhibition of a planning scheme amendment to rezone the subject land located within the Rural Living Zone – Schedule 3 to General Residential Zone, with an associated Schedule.

The re-zoning of the subject land is required before residential subdivision in accordance with the approved Cross's Road Residential Precinct Development Plan can occur.

#### General Residential Zone

As set out on the DTPLI website:

*"The General Residential Zone respects and preserves neighbourhood character while allowing modest housing growth and diversity. In the suite of residential zones, the role of the General Residential Zone sits between the Residential Growth Zone, which enables housing growth and diversity, and the Neighbourhood Residential Zone which favours existing neighbourhood character and restricts housing growth.*

*The likely application of the zone is in most residential areas where moderate growth and diversity of housing will occur consistent with existing neighbourhood character."*

The General Residential Zone includes:

- *"...allowing local application requirements and decision guidelines to be specified;*
- *third party notice, objection and review rights for section 2 use and buildings and works applications;*
- *encouraging a range of building scales through a discretionary height limit of nine metres for residential development (except where specified differently in a schedule to the zone);*
- *a local maximum building height that can be specified in a schedule to the zone that cannot be exceeded;*
- *allowing key residential siting and design requirements to be varied for different neighbourhoods;*
- *a planning permit threshold to construct one dwelling on a lot of 300 square metres but allowing a council to specify a different threshold of 500 square metres;*
- *restrictions on non-residential land uses such as place of worship and medical centre;*  
*and*

## PLANNING SCHEME AMENDMENT | ASHWORTH DRIVE, TRARALGON



- *allowing small scale commercial uses such as a shop and food and drink premises subject to a permit."*

The form and content of the General Residential Zone is consistently applied across Victoria in accordance with the version of the zone provisions gazetted by the Minister for Planning on 1 July 2013.

Where appropriate, schedules are applied to set additional development controls or minimum lot sizes for subdivision to cater for local conditions or community expectations regarding the future built form and character of an area.

It is anticipated that the Schedule to the zone will be similar to that which is proposed for the areas to be contained within the General Residential Zone as set out in Amendment C84, consistent with the recommendations of the Standing Advisory Committee.

### REFERRAL COMMENTS

As requested by Council, we have sought preliminary comments from each of the relevant referral authorities. Comments provided are set out below:

Referral Authority	Comments
<p><b>AusNet Electricity Services Pty Ltd</b></p> <p><b>AusNet Transmission Group Pty Ltd</b></p> <p>Ms Emma Bostedt</p>	<p>By email: AusNet Services have no objections to the proposed re-zoning of the land. Noted the following:</p> <ul style="list-style-type: none"> <li>• <i>SP AusNet has an existing 22kV overhead power line running north-south and a 66kV overhead power line running east west through lots 5 &amp; 7.</i></li> <li>• <i>The estate would be supplied by building Cable Heads on existing poles, and running a high voltage underground cable from the pole to a Kiosk Substations inside the estate.</i></li> <li>• <i>A Kiosk Substation requires a reserve size of 8m x 5m</i></li> <li>• <i>From the Kiosk substation, Low Voltage Underground Cables and joints would be installed to service houses in the estate.</i></li> <li>• <i>SP AusNet policy for alteration to existing assets requires the customer to contribute the full cost of the augmentation works.</i></li> <li>• <i>Services to any existing houses will be required to be relocated to the</i></li> </ul>

## PLANNING SCHEME AMENDMENT | ASHWORTH DRIVE, TRARALGON



	<p><i>underground network within the estate, at the expense of the developer.</i></p> <ul style="list-style-type: none"> <li><i>• SP AusNet's standard URD policy would apply for medium density housing i.e. lots sizes &lt;= 2000 square metres are entitled to a LV rebate of \$980.00 per lot in the subdivision.</i></li> <li><i>• If the average lot size is greater than 2000 square metres or non-residential, then the development would be classed as low density/commercial and the developer would pay the total cost of works for HV and LV cables less SP AusNet's contribution based on expected revenue from assets installed.</i></li> </ul>
<p><b>GasNet Australia</b> Mr Colin Mason</p>	No response.
<p><b>Telstra (Vic/Tas)</b> Mr Petro Georgiou</p>	By email: Advised that Telstra is no longer a referral authority.
<p><b>Department of Environment and Primary Industries</b> Mr John Brennan</p>	By telephone: Referred to previous correspondence with Council on 19 March 2012 to Tom Vercoe and on 1 August 2012 to Barry Hershey in relation to the Cross's Road Residential Precinct Development Plan, and advised that their position in this regard remains current. (1 Sept 2014). Support is given so long as environmental matters in the locality are considered.
<p><b>West Gippsland Catchment Management Authority</b> Ms Geraldine Alexander</p>	By email: Referred to previous correspondence with Council in relation to the Cross's Road Residential Precinct Development Plan (WGCMA Ref WG-F-2012-0107, dated 26/4/2012 and 9/8/2012), and advised that their main concern is the waterway buffer and any intensification impacts on the waterway. They are comfortable with the re-zoning.
<p><b>Country Fire Authority</b></p>	By email: advised that CFA has no objection to the proposed re-zoning, and noted that the site

## PLANNING SCHEME AMENDMENT | ASHWORTH DRIVE, TRARALGON



Mr Jude Kennedy	is located within a Bushfire Prone Area (BPA).
<p><b>Gippsland Water</b></p> <p>Mr Michael Johnstone – Planning Engineer, Water and Wastewater</p>	<p>By email:</p> <p><b>Sewer</b></p> <ul style="list-style-type: none"> <li>• <i>Sewer will naturally gravitate to a newly constructed main traversing through Lots 4, 7 &amp; 8.</i></li> <li>• <i>This main is designed to cater for the development in question so has sufficient capacity.</i></li> <li>• <i>To service allotments within the subject development with sewerage, main extensions at full cost to the developer and to WSAA standards will be required.</i></li> </ul> <p><b>Water</b></p> <ul style="list-style-type: none"> <li>• <i>There is currently a 100 mm main traversing along Ashworth Dve. This main does not have sufficient capacity to service the development.</i></li> <li>• <i>To service the development internal water mains will be required to be constructed at full cost to the developer and to WSAA standards and should consider the interconnection of mains to adjoining developments.</i></li> <li>• <i>I suspect that the combined demand of the subject development will also require the interconnection of the developments "internal" pipework to some larger reticulation mains.</i></li> <li>• <i>There is a 300 mm reticulation main on the south of Cross's Rd, which has capacity for this development, however would require a complex crossing of some very large sewage rising mains that sit on the north side of Cross's Rd.</i></li> <li>• <i>When the time comes to discuss the detail of crossing these assets, some thought will be needed in regards to a developing a construction management plan.</i></li> </ul>

	<p><b>Asset Protection</b></p> <ul style="list-style-type: none"><li>• <i>There is a 450 mm raw water main traversing northwest to southeast across the development.</i></li><li>• <i>Gippsland Water will require the protection of this current asset and the provision of future assets in 10 metre reserve vested to Gippsland Water.</i></li></ul>
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## ASSESSMENT OF THE PROPOSAL

This section assesses the proposed amendment in accordance to Ministerial Direction 11 - Strategic Assessment of Amendments (October 2013) and Planning Practice Note 46 Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments (July 2014).

Both the Minister's Direction No. 11 and PPN 46 require a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. These matters are outlined below, with the accompanying assessment provided also.

### **Is the Amendment required?**

The planning scheme amendment seeks to rezone the subject land located within the Rural Living Zone – Schedule 3 to General Residential Zone, with an associated Schedule.

The re-zoning of the subject land is required before residential subdivision in accordance with the approved Cross' Road Residential Precinct Development Plan can occur.

The current zoning of the subject land implies that future residential development will be of a low scale in a rural setting and that there may be non-residential, agricultural land uses occurring, provided that they do not affect the amenity of adjacent, surrounding land uses.

The current zoning is at odds with the strategic direction sought by Council at the Local Policy level. Furthermore, the current zoning is at odds with the existing and emerging development occurring immediately to the south, west and east of the subject site. Rather, the zoning of the site needs to reflect its relationship to surrounding land, and the fact that the future residential development of the land will be an extension to existing urban development, in accordance with an approved Development Plan.

### **How does the Amendment implement the objectives of the planning in Victoria?**

The proposed amendment implements the objectives set out in Section 4 of the Planning and Environment Act 1987 in providing for the fair, orderly, economic and sustainable use and development of land.

### **How does the amendment address any environmental, social and economic effects?**

The subject land is within the Township Boundary as set out in the Traralgon Structure Plan and is contiguous with existing urban development. The land represents a logical extension to existing urban development, proximate to local community infrastructure, to provide additional residential living opportunities to the community in an accessible location.

Subdivision of the land in accordance with the new zone provisions will be required to comply with the approved Cross' Road Development Plan, which addresses matters of land use and



subdivision, waterways, infrastructure services, open space, flora and fauna and cultural heritage and has been prepared in collaboration with organisations including Latrobe City Council, Gippsland Water, West Gippsland Catchment Management Authority, VicRoads, DSE, EPA, SP Ausnet and CFA.

In particular, the Cross' Road Development Plan provides for the following outcomes on the subject land:

- Integrated stormwater management and a holistic drainage strategy;
- The retention of remnant vegetation and enhancement of potential Growling Grass Frog habitat within a parkland reserve extending through the site; and
- Inclusion of buffer distances to designated waterways;

Being contiguous with existing urban development, it is not considered that the re-zoning will give rise to any adverse social or economic effects. Residents benefit from existing proximity to local schools, shops and community services.

#### **How does the amendment address any relevant bushfire risk?**

The amendment will not increase the risk of life, property, community infrastructure and the natural environment from bushfire. The amendment does not remove or modify provisions that relate to bushfire risk such as the Bushfire Management Overlay.

In preparing this amendment request, the applicant sought the views of the CFA, who has no objection to the proposed re-zoning. CFA noted that the site is located within a Bushfire Prone Area (BPA).

#### **Does the Amendment comply with the requirements of any other Minister's Directions applicable to the amendment?**

The proposed amendment is consistent with Ministerial Direction No 16 Residential Zones insofar as the amendment seeks to apply the new General Residential Zone to the subject land, consistent with the Traralgon Structure Plan.

This request is accompanied by all of the information required by Council including draft DTPLI templates and a proposed zoning map.

#### **How does the Amendment support or implement the State Planning Policy Framework and other adopted State policy?**

The amendment supports and implements the SPPF by helping to meet the objective to ensure a sufficient supply of land is available for residential purposes. The future residential development of the land will be an extension to existing urban development, in accordance with an approved Development Plan.

**How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The proposed amendment supports the strategic direction sought by the LPPF in providing for residential use and development consistent with the objectives and outcomes sought in Clauses 21.04, 21.05 and 21.08, . The site sits within the existing urban extent of Traralgon and subdivision for residential purposes forms a logical extension to surrounding proposed and existing residential development.

Appropriate development of the land is also ensured through compliance with the approved Cross' Road Development Plan which takes into account both the strategic and physical context of the subject land.

**Does the Amendment make proper use of the VPP's?**

The amendment makes proper use of the Victoria Planning Provisions by applying a reformed residential zoning to the land consistent with Amendments V8 and V100, as well as Ministerial Direction No. 16, which introduced the Residential Growth, General Residential and Neighbourhood Residential Zones into the Victorian Planning Provisions.

**Does the Amendment address the views of any referral authority?**

The views of the relevant authorities have been sought in the preparation of this amendment, and previously by Council in the assessment of the Cross's Road Residential Precinct Development Plan. There are no objections to the proposed re-zoning, provided that previous comments and requirements in relation to the approved Development Plan are taken into account.

**Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is not considered to have any impact on the transport system. The future residential development of the land will be an extension to existing urban development utilising the existing road network to form new connections and road layout.

**Assess the impact of the new planning provision on the resource and administration costs of the responsible authority?**

The amendment will not have negative impacts on the resource and administrative costs of Latrobe City Council.



## CONCLUSION

This submission proposes to amend the Latrobe Planning Scheme insofar as it relates to the area known as 'Ashworth Drive' comprising a total of twelve (12) properties located on or adjacent to Ashworth Drive, Traralgon, including the property at 124 Cross's Road.

In particular, it is proposed to rezone the subject properties from Rural Living Zone – Schedule 3 (RLZ3) to General Residential Zone, with an associated Schedule.

The re-zoning of the subject land is required before residential subdivision in accordance with the approved Cross's Road Residential Precinct Development Plan can occur.

The proposed amendment is consistent with recent reform to the residential zones insofar as the amendment seeks to apply the new General Residential Zone to the subject land, consistent with State and Local Planning Policy Framework, including the Traralgon Structure Plan. The proposed amendment is generally supported by the majority of local residents of Ashworth Drive, and no concerns have been raised by external referral authorities.

We commend this proposal to Council.



## **APPENDIX ONE | CERTIFICATES OF TITLE**

PLANNING SCHEME AMENDMENT | **ASHWORTH DRIVE, TRARALGON**



## APPENDIX TWO | AERIAL PHOTOGRAPH



## APPENDIX THREE | ZONING MAP



## APPENDIX FOUR | OVERLAY MAPS



PLANNING SCHEME AMENDMENT | **ASHWORTH DRIVE, TRARALGON**



## **APPENDIX FIVE | PLANNING SCHEME AMENDMENT DOCUMENTATION**

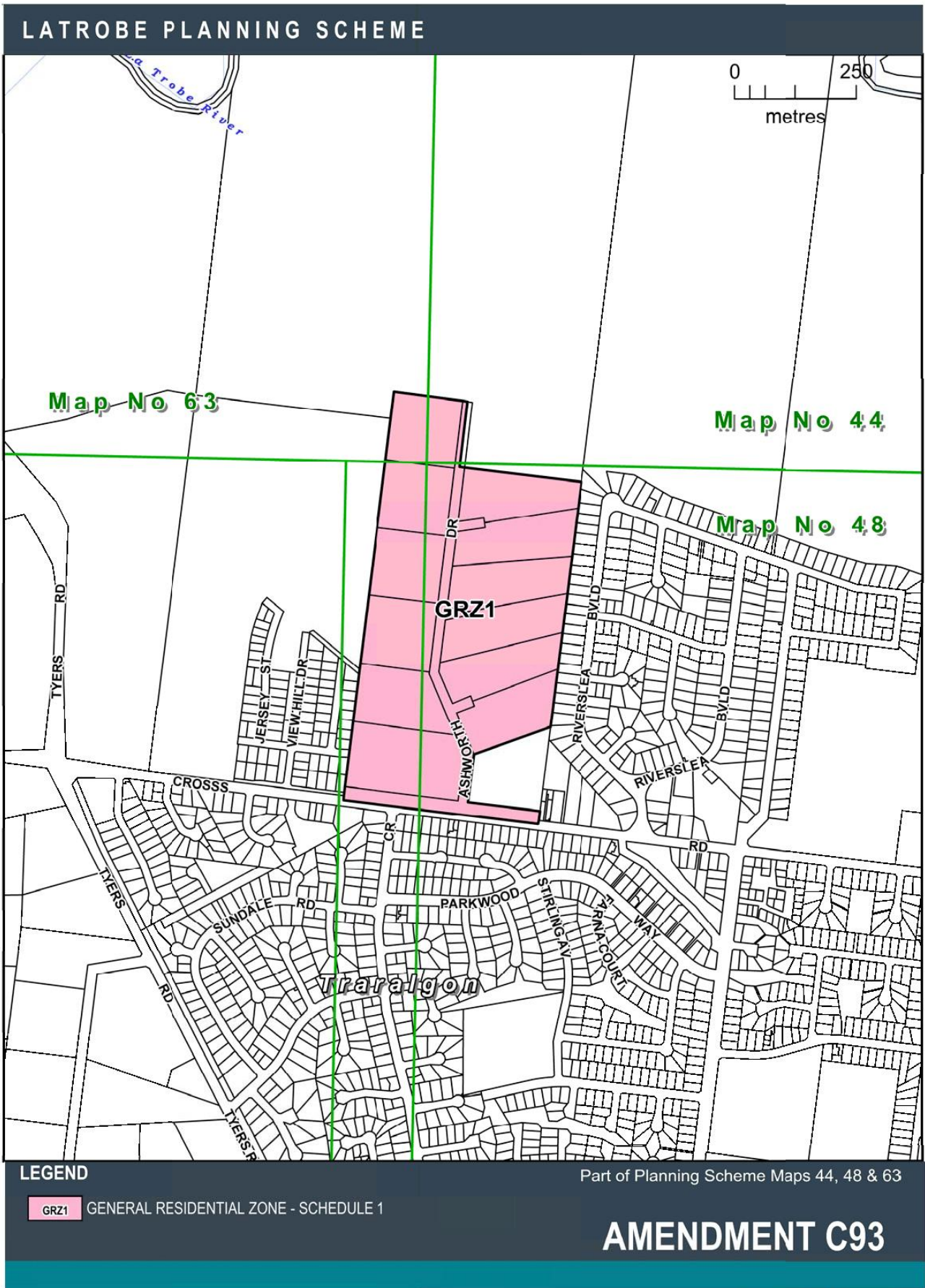


## APPENDIX SIX | CROSS' ROAD RESIDENTIAL PRECINCT DEVELOPMENT PLAN

Cross' Road Traralgon

Figure 6: Development Plan





| Planning Mapping Services |  
| Planning Information Services |  
| Planning |



Department of  
Environment, Land,  
Water & Planning

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## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

Cr Middlemiss declared an indirect interest under Sections 78A & 78E of *The Local Government Act 1989* in respect to Item 13.3 Update on the Environmental Significance Overlay.

Councillor Graeme Middlemiss left the meeting, the time being 7:21PM

### **13.3 UPDATE ON THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

**General Manager**

**Planning & Economic  
Sustainability**

**For Decision**

#### **PURPOSE**

The purpose of this report is to provide Councillors with a status update of the proposed joint planning scheme amendment with South Gippsland Shire and Baw Baw Shire Councils to update and apply the Environmental Significance Overlay (ESO) to declared water supply catchments across Central, South and West Gippsland. It has been proposed that this joint amendment with all three Councils be undertaken as a Section 20(4) amendment under the *Planning and Environment Act 1987*. This report seeks to update Councillors on the proposal and to recommend proceeding with the joint amendment.

#### **EXECUTIVE SUMMARY**

In 2013, South Gippsland Shire Council approached Latrobe City Council and Baw Baw Shire Council to participate in a joint amendment to introduce the Environmental Significance Overlay (relating specifically to Declared Special Water Supply Catchment Areas) across the three municipalities (refer to previous letter from the CEO – Attachment 1).

As project lead, South Gippsland Shire Council will request that the Minister for Planning proceed with the amendment under Section 20(4) of the Act which allows the Minister for Planning to exempt himself from the notification requirements under the *Planning and Environment Act 1987*.

The introduction of the Environmental Significance Overlay will assist landowners identify if their properties are within designated water supply catchment areas, and will allow the appropriate mechanisms to be put in place to ensure the quality of drinking water in the municipality is not jeopardised. Some of the declared water supply catchments currently do not have an ESO, and landowner's existing obligations within the catchment may not currently be identified in a Section 32 Sale of Land document when buying and selling land. This presents possible exposure to risk for Latrobe City Council. The proposal affects 180 properties to varying degrees, with the Environmental Significance Overlay being introduced as a new control to 119 of these properties. Some properties may require a planning permit for certain buildings and works which would not have required a permit previously, however only four of these properties will be newly burdened with the requirement to seek a planning permit for a single dwelling.

**RECOMMENDATION**

**That Council agree to participate in a S20(4) Ministerial Amendment coordinated by South Gippsland Shire Council which seeks to introduce a revised Environmental Significance Overlay, Schedule 2 which will provide controls over existing potable water supply catchment areas across Baw Baw Shire, South Gippsland Shire and Latrobe City Councils.**

**Moved:** Cr Gibson

**Seconded:** Cr White

**That the Recommendation be adopted**

**For the Motion**

Councillors Gibson, Rossiter, White, Sindt, O'Callaghan, Harriman and Gibbons

**Against the Motion**

Councillor Kam

**The Mayor confirmed the Motion was CARRIED.**

**DECLARATION OF INTEREST**

The Executive Manager, Office of the Chief Executive declared an Indirect Interest under section 78B of the Local Government Act 1989.

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

***Latrobe 2026: The Community Vision for Latrobe Valley***

In 2026, Latrobe Valley benefits from a well planned built environment that is complementary to its surroundings, and which provides for a connected and inclusive community. Latrobe City is a vibrant and diverse community. Council is ensuring that the changing needs and aspirations of our diverse community are met by providing facilities, services and opportunities that promote an inclusive and connected community.

***Latrobe City Council Plan 2013 - 2017***

*Theme and Objectives*

*Theme 5: Planning for the future*

*To provide a well planned, connected and liveable community.*

*To provide clear and concise policies and directions in all aspects of planning.*

*Strategic Direction – Planning for the future*

Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.

Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments

*Legislation –*

The provisions of the Latrobe Planning Scheme and the following legislation apply to this amendment:

- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Transport Integration Act 2010*

The proposed amendment is consistent with the Latrobe Planning Scheme and the applicable legislation.

**BACKGROUND**

Latrobe City Council is the Responsible Authority for administering the Latrobe Planning Scheme. Part of this responsibility is to ensure that all relevant and appropriate land use planning provisions are included within the Scheme. It is proposed that Latrobe City Council, along with South Gippsland Shire Council and Baw Baw Shire Council introduce a revised Environmental Significance Overlay, Schedule 2 (ESO2) over existing potable water supply catchment areas that have been declared under the *Catchment and Land Protection Act 1994*. This is to ensure Victorians have access to safe, clean drinking water which is not jeopardised by certain buildings and works. South Gippsland Shire Council will run the amendment on behalf of all three municipalities. Council has previously given support for Latrobe City Council to participate in the proposed joint amendment in November 2013.

In 2013, the Chief Executive Officer (CEO), under delegation, signed a letter of support for Latrobe City Council to participate with the proposed joint amendment (Attachment 1). Pursuant to Section 98 of the *Local Government Act 1989*, a CEO can be given delegation to consider matters on behalf of Council. Under the CEO Instrument of delegation, the CEO has the power to endorse or seek authorisation on behalf of Council to proceed with an amendment. Councillors were previously briefed on the proposal in November 2013 and again on 16 March 2015 at a Councillor Briefing Session 2.

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

**Table 1: Proclaimed Open, Potable Water Supply Catchments located within Latrobe City as listed in Schedule 5 of the *Catchment and Land Protection Act 1994*.**

Name of Catchment	Covered by ESO2 in Latrobe Planning Scheme	Neighbouring Council overlap	Covered by ESO2 in neighbouring Council:
Tanjil River	N	Baw Baw	Y
Tyers River	N	Baw Baw	Y
Walkley Creek	Y	No Overlap	N/A
Tarwin River (Meeniyan)	N	South Gippsland	Y
Billy's Creek	Y	No Overlap	N/A
Merrimans Creek (Seaspray)	N	Wellington	N

The importance of water quality and water catchments is specifically addressed in Clauses 14.02 and 19.03 of the State Planning Policy Framework, and in Clause 21.03 of the Local Planning Policy Framework within the Latrobe Planning Scheme. In addition, Latrobe City Council identified through the Latrobe Planning Scheme Review process in 2008 and 2010, that the ESO2 should be applied to protect the natural assets and proclaimed water supply catchments within the Municipality. The recently adopted *Latrobe Planning Scheme Review 2014* identified the need to protect areas within water catchments and provided a specific recommendation about applying an ESO over water catchments in the municipality.

The objective of the ESO2 is: *“To protect and sustain the environmental attributes which ensure high quality water availability.”* South Gippsland Shire Council contacted Latrobe City Council in April 2013 advising that they were preparing a planning scheme amendment to apply the Environmental Significance Overlay Schedule 2 – Special Water Supply Catchment Areas over the entire area of the Tarwin River (Meeniyan) Water Supply Catchment. Part of this area crosses the municipal boundary into Latrobe City Council.

Following South Gippsland Shire Council's resolution from its 28 August 2013 Council Meeting, a formal request was received on the 6 September 2013 seeking support for a joint (GC) Ministerial Planning Scheme Amendment under Section 20(4) of the *Planning and Environment Act 1987* to 'update declared water catchment provisions in the Planning Schemes of Baw Baw Shire Council, Latrobe City Council and South Gippsland Shire Council'. (See Attachment 2 for copy of written request for support from South Gippsland Shire Council and associated Council Report).



## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

In addition to the application of the ESO2 to the Tarwin River (Meeniyan) Water Catchment, further discussions were held between Latrobe City Council and South Gippsland Shire Council regarding three remaining proclaimed open, potable water supply catchment areas not currently covered by the ESO2 (Tanjil River, Tyers River and Merrimans Creek).

South Gippsland Shire Council has offered to include these remaining catchments in the proposed joint amendment as this will ensure the accuracy and consistency of the ESO2 across respective the Planning Schemes.

Council received correspondence on the 6 September 2013 from South Gippsland Shire Council requesting support for South Gippsland Shire to request for the Minister for Planning to introduce the Environmental Significance Overlay across multiple catchments through a (GC) Ministerial Amendment. A report was prepared for Council and presented at the 11 November 2013 Issues and Discussions session. On 14 November 2013, a letter of support was sent from the CEO of Latrobe City to South Gippsland Shire Council, under delegation, for inclusion in the (GC) Ministerial Amendment (Attachment 1). Pursuant to Section 98 of the *Local Government Act 1989*, a CEO can be given delegation to consider matters on behalf of Council. Under the CEO Instrument of delegation, the CEO has the power to endorse or seek authorisation on behalf of Council to proceed with an amendment.

### Statutory Requirements

Each amendment must address the Department of Environment, Land, Water and Planning (DELWP) publication *Strategic Assessment Guidelines for Planning Scheme Amendments*. A response to these guidelines is outlined in the attached Explanatory Report, (see Attachment 3).

The proposal is consistent with the State Planning Policy Framework and the Municipal Strategic Statement (MSS) This is explained in the attached Explanatory Report, (see Attachment 3).

A Section 20(4) allows for the Minister for Planning to exempt him or herself from the notice requirements under the Act. This is at the discretion of the Minister if he or she determines the amendment warrants a prompt introduction.

### INTERNAL/EXTERNAL CONSULTATION

As the water catchments extend across three planning schemes, the proposal has a regional status which supports the Ministerial Amendment request.

A Section 20(4) allows for the Minister for Planning to exempt him or herself from the notice requirements under the Act. This is at the discretion of the Minister if he or she determines the amendment warrants a prompt introduction. The Minister may undertake any other form of notice he deems appropriate. This may include notifying affected parties but not holding a planning panel. This means if the Minister were to exempt himself, 119 landowners who are affected by the proposed ESO2 would not have the opportunity to participate in a panel process. This also means that the Minister would determine the proposal without requiring a further council resolution to adopt the proposal.

### **KEY POINTS/ISSUES**

*What is the current state of play?*

In Latrobe City, currently 61 properties are affected by the existing ESO2. In this amendment, 119 new properties are proposed to have the ESO2 applied to their land, where it previously does not exist; and the existing 61 properties, which are currently affected by the ESO2, will have revised content to the ESO2 introduced. As a result of the amendment, a total of 180 properties in Latrobe will be affected by the ESO2 (Attachment 4 – Map).

*Properties with existing ESO2*

The main changes to the ESO2 are the permit triggers. The existing ESO2 limits the permitted removal of vegetation from the land. The revised permit triggers are development focused and specific buildings and works associated with certain uses now require referral to the relevant referral authorities under Section 55 of the Act (Attachment 5 – Proposed ESO2 Schedule).

All properties within the existing ESO2 either:

- Do not have as of use rights for the development of a dwelling due to the size of the property therefore requiring a permit;
- Already have dwellings located on them; or
- Are affected by the Bushfire Management Overlay.

It should be noted that where a property owner in this category seeks planning permission to develop a dwelling, the inclusion of this ESO2 may hinder the ability to develop.

*Proposed properties to be included in the ESO2*

There are 119 new properties to be affected by the revised ESO2. However, this can be further broken down based on whether the applied ESO2 will affect any development rights the property may have. The table in Attachment Six shows how these properties will be affected by the application of the ESO2; noting that:

- 61 properties are already affected by the existing ESO2; and
- 99 of the new properties already require a planning permit due to existing triggers within the Planning Scheme (e.g. zone, lot size or Bushfire Management Overlay)

In summary, four new properties will now require a planning permit for a single dwelling where a planning permit was previously not required for any reason. Other buildings and works may trigger the need for a planning permit (such as an extension to an existing dwelling) and will be required to be referred to the water authority. There are also some circumstances where an assessment under the ESO2 is exempt if certain requirements are met (i.e. certain developments where reticulated sewerage is already provided to the lot).

*If a permit is triggered*

The overlay will trigger a Section 55 referral under the Act which is not currently formalised. A water authority assessing an application under a special water supply catchment is considered a determining referral authority giving the water authority right to object to an application. If a determining authority objects to the application, Council are obliged to refuse the permit. The applicant would still have appeal rights at the Victorian Civil and Administrative Tribunal. Therefore while the ESO2 doesn't prohibit use and development, there is a possibility under the new overlay that applications could be refused based on potable water issues such as land capability and the dwelling density guidelines, which state there should be a 1:40ha density for dwellings in catchment areas.

There are no current processes in place to assist with identifying properties in a special water supply catchment. Due to a lack of overlays within the Latrobe Planning Scheme maps, land is not readily identifiable as being within a catchment. The implications of this are twofold; firstly, Council may be frustrating its statutory obligations by allowing development within potable water catchment areas without consideration of water supply catchment issues. Secondly, this also means property owners may not be aware of their own obligations under the *Catchment and Land Protection Act 1994*. Additionally, as this designation is not reflected within the planning certificate provided in a Section 32 - Vendors Statement when purchasing the land, many prospective owners may be buying land without the knowledge of its special designation and how this may affect potential development on the property.

*Dwelling Density in Catchment Areas*

Guidelines have been formulated to help water authorities and council with assessing applications for dwellings, subdivisions and other buildings and works in a declared open water supply catchment area. Under the *Guideline for planning permit applications in open, potable water supply catchment areas, November 2012 (Attachment 7)*, specifically Guideline 1, commentary is provided regarding the preferred density of dwellings within a catchment. The guideline states:

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

*Where a planning permit is required to use land for a dwelling or to subdivide land or where a planning permit to develop land is required pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective:*

- *the density of dwellings should be no greater than one dwelling per 40 hectares (1:40 ha); and*
- *each lot created in the subdivision should be at least 40 hectares in area.*

The implication for property owners within a catchment is that water authorities will refer to these guidelines when applications are referred to them under Section 55 of the *Act*.

Council and the water authorities are required to consider these guidelines in their assessment of dwelling applications. However, there is potential for future research to be undertaken by both the water authorities and Council to identify the current health of the catchments and the impact of dwelling densities within these catchments. This could allow Council in the future to create a local policy addressing catchment concerns and could potentially allow for exemptions based on dwelling densities under Category 3 of the Guidelines. Council also have an adopted Municipal Domestic Wastewater Management Plan (DWMP) which could allow for an exemption to the density rule under Category 4 provided all other requirements of Category 4 are met. Therefore, while dwelling densities may be considered a hurdle for the development of new dwellings within a catchment area, there are potential mechanisms in which this impact could be reduced for landowners if appropriate.

The water authorities are aware that the guidelines, which apply a precautionary principle, are very rigid. Through having a local policy or a DWMP, water authorities can assess applications on a risk assessment approach. However in the absence of both of these, the water authorities are required to assess an application under Guideline 1. Both South Gippsland Shire Council and Baw Baw Shire Council have undertaken additional work to allow for the water authorities to assess applications based on a risk assessment approach due to the number of properties within the respective municipalities, but Latrobe City has not.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report.

#### *Lack of Regulatory Control*

The primary reason for amendment to the ESO2 in the Latrobe Planning Scheme relates to the negative risk presented to landowners, Council and water authorities resulting from the absence of appropriate land use planning provisions and mapping within Planning Schemes.

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

Council is the Planning Authority responsible under the *Planning and Environment Act 1987* for the administration of the Latrobe Planning Scheme. Failure to apply appropriate overlay controls may subject Council to criticism that it is not fulfilling its role to responsibly administer the Planning Scheme.

All Latrobe City properties located within the proposed ESO2 are already located within a declared water supply catchment area. Along with the designation, some catchments, including the Tanjil River catchment have Special Area Plans which provides guidelines on certain uses to minimise any adverse effects on water quality.

The significance of this matter warrants support for the prompt introduction of ESO2 mapping over all proclaimed open, potable water catchment areas in Latrobe City Council.

*Modified Notification to Landowners*

A Section 20(4) allows for the Minister for Planning to exempt him or herself from the notice requirements under the Act. This is at the discretion of the Minister if he or she determines the amendment warrants a prompt introduction. The Minister may undertake any other form of notice he deems appropriate. This may include notifying affected parties but not holding a planning panel. This means if the Minister were to exempt himself, 119 landowners who are affected by the proposed ESO2 would not have the opportunity to participate in a panel process. This also means that the Minister would determine the proposal without requiring a further council resolution to adopt the proposal.

*Financial*

The financial implications of the Ministerial amendment request are limited to the statutory fees (if any) associated with a request for a planning scheme amendment and processing time. In this instance, South Gippsland Shire Council has confirmed they will pay all associated costs related to the amendment if Council proceeds with the GC amendment, and as such this is deemed a positive risk.

**OPTIONS**

The options available to Council are as follows:

- 1 That Council pursues the proposed amendment and endorses the request to be made to the Minister for Planning on behalf of Latrobe City Council by South Gippsland Shire Council to request a (GC) Ministerial Amendment pursuant to Section 20(4) of the *Planning and Environment Act 1987*.

Or

- 2 That Council does not support the request to be made to the Minister for Planning, on behalf of Latrobe City Council by South Gippsland Shire Council, to request a (GC) Ministerial Amendment pursuant to Section 20(4) of the *Planning and Environment Act 1987* and Latrobe

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

City Council undertake the Amendment separate from South Gippsland Shire Council and Baw Baw Shire Council.

Or

- 3 That Council does not support the request to be made to the Minister for Planning on behalf of Latrobe City Council by South Gippsland Shire Council, to request a (GC) Ministerial Amendment pursuant to Section 20(4) of the *Planning and Environment Act 1987*.

**CONCLUSION**

At present, there are four proclaimed, open potable water supply catchment areas not currently formalised within the Latrobe Planning Scheme.

The introduction of the Environmental Significance Overlay, Schedule 2 will help landowners identify properties that are already within designated water supply catchment areas and will allow the appropriate mechanisms to be put in place to ensure the quality of drinking water in the municipality is not jeopardised. The proposal affects 180 properties to varying degrees, with the Environmental Significance Overlay being introduced as a new control to 119 of these properties. Some properties may require a planning permit for certain buildings and works which would not have required a permit previously, however only four of these properties will be newly burdened with the requirement to seek a planning permit for a single dwelling.

The application of the ESO2 to the remaining four catchment areas will ensure that the quality of water for domestic use, including human consumption in Latrobe City is kept to a high standard by minimising the potential for contaminated run-off and wastes into these catchment areas.

Given that Latrobe City shares four of its six proclaimed catchments with adjoining councils, participating in a joint Ministerial amendment will ensure the accuracy and consistency of the ESO2 across all the respective planning schemes.

Councillors have been previously briefed and the former CEO has provided written support for the ESO2 proposal. Therefore it is considered appropriate that Latrobe City Council should continue to support South Gippsland Shire Council's request to introduce the ESO2 into the Planning Schemes of Baw Baw Shire Council, Latrobe City Council and South Gippsland Shire Council via a joint (GC) Ministerial Planning Scheme Amendment. There are substantial resource, cost and time savings with a regional approach to update mapping anomalies under Section 20(4) of the *Planning and Environment Act 1987*.

The amendment will formalise the potable water supply catchment areas within the Latrobe Planning Scheme maps and reduce the possible exposure to risk for Latrobe City Council.

**SUPPORTING DOCUMENTS**

**Attachments**

1. Attachment 1- Letter of Support from Latrobe City Council
2. Attachment 2 - Written Request from South Gippsland and Associated Council  
Report
3. Attachment 3 - Draft Explanatory Report
4. Attachment 4 - Map of Proclaimed Water Catchment Areas
5. Attachment 5 - Proposed ESO Schedule
6. Attachment 6 - Table of Properties Affected

## 13.3

### Update on the Environmental Significance Overlay

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6	Attachment 6 - Table of Properties Affected .....	475



Our Ref:  
Your Ref: P/41/2011  
PB:DD

14 November 2013

Mr Craig Lyon  
South Gippsland Shire Council  
9 Smith Street (Private Bag 4)  
LEONGATHA VIC 3953

Dear Mr Lyon

**Seeking support for a Ministerial Planning Scheme Amendment (PSA) to update Declared Water Catchment Provisions in the Planning Schemes of Baw Baw Shire Council, Latrobe City Council and South Gippsland Shire Council**

We write further to your letter dated 6 September 2013 regarding the above and wish to advise that Council supports the update and application of the Environmental Significance Overlay – Schedule 2: Special Water Supply Catchment Areas (ESO2) over the entire area of the Tarwin River (Meeniyah) water supply catchment with the exception of the areas already supplied by reticulated sewerage.

In relation to Latrobe City Council specifically, in addition to the Tarwin River (Meeniyah) water supply catchment, Council supports the inclusion of the Tanjil River, Tyers River and Merrimans Creek Declared Water Catchments in the joint amendment.

Maps showing both the locations of all Declared Water Catchment areas and existing ESO2 areas within Latrobe City are attached to this letter.

Council also supports the above planning controls being introduced into the Planning Schemes pursuant to Section 20(4) of the *Planning and Environment Act 1987* as a joint (GC) amendment between Baw Baw Shire Council, Latrobe City Council and South Gippsland Shire Council

We thank South Gippsland Shire Council for the opportunity to participate in the above joint Planning Scheme Amendment and we look forward to working collaboratively with you in the coming months.

If you require further information please contact Danielle Douglas or Kellie Robinson on 5128 6163 or [danielle.douglas@latrobe.vic.gov.au](mailto:danielle.douglas@latrobe.vic.gov.au) or [kellie.robinson@latrobe.vic.gov.au](mailto:kellie.robinson@latrobe.vic.gov.au).

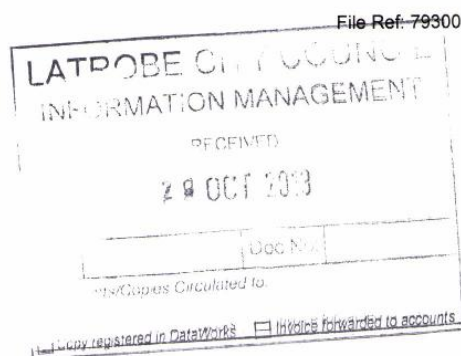
Yours sincerely

PAUL BUCKLEY PSM  
**Chief Executive Officer**



24 October 2013

Ms Leah Pollard  
Senior Strategic Planner  
Latrobe City Council  
P O Box 264  
Morwell VIC 3840



Dear Leah,

**Proposed Planning Scheme Amendment  
Environmental Significance Overlay ESO2 – Water Catchments**

I am writing to express the Authority's support for the Latrobe City Council's participation in a joint Ministerial Planning Scheme Amendment to update mapping anomalies in the existing Environmental Significance Overlay (Schedule 2): Special Water Supply Catchment Areas (ESO2). It is understood that the proposed amendment is being led by the South Gippsland Shire and also involves the Baw Baw Shire.

As you would be aware, the West Gippsland Catchment Management Authority has a key role in the declaration of Special Areas, including Special Water Supply Catchments (SWSCs), under the *Catchment and Land Protection Act 1994*. With this in mind, the Authority believes it is important that declared SWSCs are accurately and comprehensively recognised in planning schemes to ensure that adequate protection is provided to these important areas.

If you have any queries on the matters raised in this letter, please contact me or our Strategic Floodplains Officer, Wayne Gilmour, on telephone 1300 094 262.

Yours sincerely

A handwritten signature in black ink, appearing to read "Adam Dunn".

Adam Dunn  
**Statutory Planning Manager**

ABN 88 062 514 481

Correspondence PO Box 1374, Traralgon VIC 3844

Telephone 1300 094 262 • Facsimile (03) 5175 7899 • Email [westgippy@wgcm.vic.gov.au](mailto:westgippy@wgcm.vic.gov.au) • Website [www.wgcm.vic.gov.au](http://www.wgcm.vic.gov.au)  
Traralgon Office 16 Hotham Street, Traralgon VIC 3844 • Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953



Our ref: P/41/2011  
Your ref:

6 September 2013

Chris Whiteman  
Manager Strategic Planning  
Latrobe City Council  
PO Box 264  
MORWELL VIC 3840

Dear Chris

**Seeking Support for a Ministerial Planning Scheme Amendment (PSA) 20(4) to update Declared Water Catchment Provisions in the Planning Schemes of Baw Baw Shire Council, Latrobe Council and South Gippsland Shire Council**

South Gippsland Shire Council resolved at its 28 August 2013 Council meeting to:

- 1. WRITE TO BAW BAW SHIRE COUNCIL, LATROBE CITY COUNCIL, SOUTH GIPPSLAND WATER, GIPPSLAND WATER AND THE WEST GIPPSLAND CATCHMENT MANAGEMENT AUTHORITY REQUESTING WRITTEN SUPPORT FOR SOUTH GIPPSLAND SHIRE COUNCIL'S REQUEST FOR THE MINISTER FOR PLANNING TO INTRODUCE THE ENVIRONMENTAL SIGNIFICANCE OVERLAY SCHEDULE 2 (WATER CATCHMENTS) OVER THE ENTIRE AREA OF THE TARWIN RIVER (MEENIYAN) WATER SUPPLY CATCHMENT WITH THE EXCEPTION OF AREAS ALREADY SERVICED BY RETICULATED SEWERAGE.**
- 2. REQUEST BAW BAW SHIRE COUNCIL AND GIPPSLAND WATER'S SUPPORT TO EXTEND THE MIRBOO NORTH CATCHMENT INTO THE BAW BAW PLANNING SCHEME.**
- 3. FOLLOWING RECEIPT OF CORRESPONDENCE FROM THE ABOVE ORGANISATIONS, WRITE TO THE MINISTER FOR PLANNING REQUESTING THE INTRODUCTION OF THE ENVIRONMENTAL SIGNIFICANCE OVERLAY SCHEDULE 2 OVER THE UNSEWERED AREAS OF THE TARWIN CATCHMENT AND MIRBOO NORTH CATCHMENT (WHERE SUPPORTED BY THE AFFECTED COUNCILS) PURSUANT TO SECTION 20(4) OF THE PLANNING AND ENVIRONMENT ACT 1987.**

9 Smith Street (Private Bag 4) Leongatha 3953 – DX 94026 Leongatha  
Telephone: (03) 5662 9200 Facsimile: (03) 5662 3754  
Email: [council@southgippsland.vic.gov.au](mailto:council@southgippsland.vic.gov.au) Website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au)



**a. WITH RESPECT TO THE SOUTH GIPPSLAND PLANNING SCHEME, REQUEST THE MINISTER INTRODUCE AS PART OF THE AMENDMENT A NEW ESO SCHEDULE 2 ORDINANCE PROVISION GENERALLY IN ACCORDANCE WITH THE SCHEDULE PROVIDED IN ATTACHMENT 3.**

**4. COMMENCE DISCUSSIONS WITH SOUTH GIPPSLAND WATER AND GIPPSLAND WATER TO PREPARE AN AGREEMENT BETWEEN THE WATER AUTHORITIES AND COUNCIL TO IDENTIFY PLANNING PERMIT APPLICATIONS IN DECLARED WATER SUPPLY CATCHMENT AREAS THAT DO NOT REQUIRE REFERRAL TO THE WATER AUTHORITIES.**

The full Council report is attached.

It is considered important for our respective communities and orderly decision making to identify and place appropriate planning controls into our respective Planning Schemes that recognize the importance of these Declared Water Catchments.

In accordance with the above resolution and due to the importance of these Planning Controls I request a letter of support from Latrobe City Council to place the Planning controls detailed in the above resolution into the Planning Schemes pursuant to Section 20(4) of the Planning and Environment Act 1987 as a joint (GC) amendment between South Gippsland Shire Council, Latrobe City Council and Baw Baw Shire Council.

This will ensure the accuracy of our respective Planning Schemes.

If you have any questions please contact Craig Lyon 03 566 9806

Yours sincerely

Strategic Planning Coordinator

Councillor Fawcett left the Meeting at 3.35pm with a declared indirect conflict of interest in Council Reports Item E.7 – TARWIN RIVER WATER SUPPLY CATCHMENT - INCLUSION OF THE OPEN POTABLE WATER SUPPLY CATCHMENT IN THE ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 as he has a conflicting duty in that he is a Director of South Gippsland Water.

**E.7 TARWIN RIVER WATER SUPPLY CATCHMENT - INCLUSION OF THE OPEN POTABLE WATER SUPPLY CATCHMENT IN THE ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2**

Development Services Directorate

**EXECUTIVE SUMMARY**

Open potable water supply catchments are geographic areas (watersheds) where water is drawn from a waterway for the purpose of domestic use, including human consumption. An open catchment is a catchment that includes both public and private land.

Water supply catchments are proclaimed (approved) by the State Government. The South Gippsland Planning Scheme has eight catchments already protected by the Environmental Significance Overlay Schedule 2 (ESO2) however the largest proclaimed catchment, the Tarwin River (Meeniyan) Water Supply Catchment (Tarwin Catchment), is not in the ESO2.

The Tarwin Catchment protects the potable water supply of Meeniyan and Dumbalk. A map of the Tarwin Catchment is provided in **Attachment 1**.

Recent VCAT decisions have refused planning permit applications in water supply catchments where approval may compromise water quality. In response, the State Government has released new guidelines for the assessment of planning permit applications in water supply catchments. The new guidelines are being used by South Gippsland Water (SGW) in their consideration of planning permit application referrals. Council is bound by SGW's decision on applications in water supply catchments.

The absence of the Tarwin Catchment from the ESO2 must be urgently rectified to ensure landowners and purchasers are aware of the requirements affecting the catchment. The significance of this matter necessitates the recommendation that the Tarwin Catchment be included in the ESO2 by the Minister for Planning using his Ministerial powers.

**Document/s pertaining to this Council Report**

- **Attachment 1** - Tarwin River Water Supply Catchment proclaimed area map.
- **Attachment 2** - Department of Sustainability and Environment publication 'Planning permit applications in open, potable water supply catchment areas - November 2012'.

- **Attachment 3** - Proposed Tarwin Catchment ESO2 maps and ordinance provisions.
- **Appendix 1** - Council Report ' Planning permit applications within Open, Potable Water Supply Catchment Areas 22 May 2013.

A copy of **Appendix 1** is available on Council's website:  
[www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au) or by contacting 5662 9200.

#### **LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

- Planning and Environment Act 1987
- Safe Drinking Water Act 2003
- Water Act 1999

#### **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

Municipal Domestic Waste Water Management Plan 2013

#### **COUNCIL PLAN**

Outcome:	1.0	A Prosperous Shire
Objective:	1.1	Work with the business community to support existing businesses, diversify employment opportunities and to attract new businesses.
Strategy:	1.1.3	We will actively encourage sustainable development and growth of agriculture, industry and commercial business.

#### **CONSULTATION**

This report recommends the ESO2 be introduced into the South Gippsland Planning Scheme by the Minister for Planning pursuant to the Minister's powers under section 20(4) of the Planning and Environment Act 1987. The Minister has the power to introduce the ESO2 with, or without, undertaking public consultation.

The Tarwin Catchment is already a proclaimed catchment and the existing provisions of the Planning Scheme already require planning permit applications in the catchment to be referred to SGW for consideration. The extent of existing planning permit triggers in the catchment mean that very few additional planning permits will be triggered by the introduction of the ESO2. On this basis the Minister may choose to introduce the ESO2 without notification to affected landowners.

The presence and impact of the Tarwin Catchment have been extensively discussed in the local media over the past year, informing the public of the changes in the assessment and consideration process and the impact it has on the development potential of land.

Officer level consultation has occurred with SGW, Gippsland Water, Baw Baw and Latrobe Councils, the West Gippsland Catchment Management Authority and the Department of Primary Industry and Environment. These organisations have provided 'in principle' support for the amendment request.

## REPORT

### Background

The origin, history and impact of the Tarwin Catchment and the consequences of the recent VCAT decisions were considered in detail in the Council Report of 22 May 2013 - see **Appendix 1**.

To summarise the key facts, the Tarwin Catchment was declared by the State Government on 2 May 1990. The catchment has an area of 107,200 hectares and extends into Baw Baw Shire at its northern extent and Latrobe City at its eastern extent - See **Attachment 1** 'Tarwin Catchment map'.

Similar to the South Gippsland Planning Scheme the catchment is not identified by an ESO in either of the adjoining planning schemes. The catchment includes the entire township area of Leongatha and the eastern half of the urban area of Korumburra. The catchment is applied to land regardless of it being serviced by reticulated sewerage.

The existence of the catchment was largely neutral in its impact on the use and development of land until early 2012 when a VCAT decision determined that protecting the quality of potable water in catchments may justify the refusal of new developments in catchments, including single dwellings in rural areas. Subsequent VCAT decisions have affirmed this position.

In response to the VCAT decisions the State Government has prepared the guideline 'Planning permit applications in open, potable water supply catchment areas - November 2012' - see **Appendix 1**. These guidelines set out four categories of development assessment and provide instruction on further work that must be undertaken in order to vary or lessen the requirements of the guidelines. These matters were addressed in detail in the May Council Report however their impacts can be briefly summarised as restricting development in unsewered areas of the catchment to a density of no more than one dwelling per 40 hectares (or 8 dwellings per 1 kilometre radius) unless a Catchment Policy and / or a Domestic Wastewater Management Plan has been adopted and implemented to the satisfaction of the catchment authority.

In recent months discussions have been held with SGW to investigate how new development may continue in the Shire's catchments while protecting the quality of potable water supplies. These negotiations have included Council Briefings. It is anticipated that an agreement will shortly be reached which will allow new dwellings to be approved on unsewered blocks in urban zoned areas (including the Rural Living Zone), and on some rural lots, subject to strict conditions.



SGW is also undertaking a Catchment Study with Council which can be used to underpin a Catchment Policy that may support a potential lessening of the one dwelling per 40 hectare development restriction. These matters are not the subject of this Council Report, however are noted to demonstrate that significant work is occurring to address the impact of the Tarwin Catchment.

### **Discussion**

The absence of the Tarwin Catchment from the ESO2, combined with the more restrictive requirements of the new guidelines for development in water catchments, means that land is presently being bought and sold, and development proposals prepared potentially without knowledge of the existence of the Tarwin Catchment and its restrictions. This presents a risk to landowners as well as to Council acting in its capacity as planning authority responsible for the administration of the Planning Scheme. Council is required by Section 14 of the Planning and Environment Act to efficiently administer its planning scheme having regard to the Objectives of planning in Victoria. The Objectives include the requirement to protect the natural resources for present and future generations.

### Ministerial Amendment Request

The significance of this matter warrants the prompt introduction of the ESO2 over the Tarwin Catchment. The most effective way of achieving this outcome is by a Ministerial Amendment, whereby the Minister for Planning uses his powers to introduce the ESO2 into the Planning Scheme(s) on behalf of Council. Typically Ministerial Amendments can be undertaken quickly and occur without (or limited) public exhibition or the requirement for an independent planning panel which costs time and money.

Ministerial amendment requests must meet a criteria set out by the Department of Transport, Planning & Local Infrastructure before they will be supported by the Minister. One of the criteria is the regional significance of the amendment. As noted above, the Tarwin Catchment extends into Baw Baw Shire and Latrobe City. Introduction of the catchment should include the entire catchment and take in the affected areas in the adjoining planning schemes. These councils share the same issues now confronting South Gippsland, albeit on a smaller geographic scale.

Council has discussed inclusion of the Tarwin Catchment in the ESO2 with officers from Baw Baw Shire Council and Latrobe City. The officers have noted the potential for issues regarding the absence of the catchment from their ESO2's and the benefits of introducing the overlay.

It is the recommendation of this report that Council write to Baw Baw Shire Council and Latrobe City and request they resolve at Council to support a Ministerial Amendment request to introduce the Tarwin Catchment into the ESO2 in their respective planning schemes. Having three council resolutions will assist in demonstrating the importance of this matter to the Minister for Planning. The Minister can prepare a 'GC Amendment' (a new form of

amendment used to make changes to more than one planning scheme) to process the changes to the three planning schemes at the same time.

In addition to officer support from Baw Baw and Latrobe City, South Gippsland Water, Gippsland Water and the West Gippsland Catchment Management Authority have offered 'officer level' support for the amendment request. Gippsland Water also has a water supply catchment north of Mirboo North (Mirboo North Catchment) which straddles South Gippsland Shire and Baw Baw Shire. The Baw Baw extent of the catchment is not in the ESO2. It is proposed to include the entire extent of the catchment in the ESO2 as part of the Amendment request.

If the adjoining councils or statutory authorities do not support the amendment request the issues of concern should be negotiated. However, inclusion of the Tarwin Catchment in the ESO2 is sufficiently important to warrant South Gippsland Shire Council proceeding with the amendment request without unanimous support of the other organisations.

What impact will inclusion of the ESO2 have and how can it be minimised?

Critical to the likely success of the Ministerial Amendment request is the fact that inclusion of the ESO2 in the planning schemes simply recognises land use controls that already exist in the planning system. The recent VCAT decisions and the new guidelines now used to assess proposals in water supply catchments already affect the Tarwin Catchment and are currently being used by SGW in their consideration of planning permit referrals. Introduction of the ESO2 simply recognises and alerts people to the existence of the restrictions and is otherwise policy neutral.

The ESO2 schedule does have planning permit triggers however the Farming Zone areas over which most of the overlay is proposed to be applied, already provide an extensive range of planning permit triggers (bushfire, flooding, landslip overlay controls) for buildings and works. This means that the burden of the ESO2 in terms of additional planning permit applications will be very low.

The potential impact of the ESO2 can be further reduced by changes to the schedule provisions to specifically exclude the requirement for a planning permit for buildings and works that comply with the new guidelines. For example, the draft ESO2 (see **Attachment 3**) specifically excludes the requirement for a planning permit for a single dwelling or dwelling additions on a lot 40ha or larger. A series of other exemptions have been added to the schedule to reduce the burden of the overlay while still complying with the requirements of the new guidelines.

As noted above, it is the state-wide mandatory referral provisions (Clause 66.02-5) which are the source of the current concerns and not the ESO2. The referral provisions provide the opportunity for Council to enter into an agreement with SGW to avoid the requirement for a referral where SGW (or Gippsland Water) are satisfied that a form of use or buildings and works will not adversely affect the catchment.

Presently all applications that require a planning permit for buildings and works in Leongatha trigger a referral to SGW. Most of these referrals provide no meaningful benefit and are an administrative burden. The ability to have an agreement with SGW extends only to setting aside referral requirements and cannot be used as an additional measure to avoid planning permit triggers in the catchment.

It is recommended that regardless of the issues surrounding the application of the ESO2, that Council commence discussions with SGW to prepare an agreement to set-out classes of planning permit application that will not require a referral.

#### Impact of the ESO2 on Leongatha and Korumburra

The Tarwin Catchment has been declared on a 'whole of catchment' basis and does not exclude township areas regardless of whether they are serviced by reticulated sewerage or not. This means that to apply the ESO2 to the entire catchment will result in the control being placed over all of Leongatha, the eastern half of Korumburra, Mirboo North (south of Ridgeway) and most of Meeniyah - See **Attachment 3**. The Tarwin Catchment ESO2 will also include the unsewered townships of Dumbalk, Koonwarra, Kardella and Arawata.

SGW have advised that its preference is that the ESO2 be applied to the entire catchment and to not specifically exclude township areas that are serviced by reticulated sewerage. This view is not supported as the key rationale for applying the overlay is to control water contamination and if development is connected to a reticulated sewerage system the potential for contamination does not readily exist.

The inclusion of an exclusionary provision for land with reticulated sewerage with an ESO that includes the whole catchment is supported by SGW. Although this provision will remove the permit burden from land in townships with sewer, it still means that the ESO is applied to the land.

If the ESO has no practical benefit it should not be applied to land, especially when almost all of the land in Leongatha and Korumburra currently has no other overlay control affecting it.

For this reason it is proposed to request the Minister for Planning prepare the Amendment with ESO2 maps that specifically exclude township areas serviced by reticulated sewerage - in accordance with the maps provided in **Attachment 3**. Should the Minister for Planning form the view that the ESO2 should be applied to the entire catchment, the ESO2 schedule includes a provision exempting buildings, works, subdivisions and vegetation removal on lots serviced by reticulated sewerage.

The Tarwin Catchment does not affect any township areas in Baw Baw Shire or Latrobe City.

### **Options**

The main options are whether to include the Tarwin Catchment in the ESO2 or to maintain its current exclusion from the Planning Scheme.

As noted in this Council Report, failure to place the ESO2 over the Tarwin Catchment means that land will continue to be bought and sold without knowledge of the restrictions already affecting the catchment. This is not orderly planning and opens Council to criticism that it is not appropriately maintaining its Planning Scheme.

If Council chooses to apply the ESO2 over the catchment, the options are to seek a Ministerial Amendment request, or for Council to process the planning scheme amendment itself following the normal amendment process.

The Tarwin Catchment affects three planning schemes giving the matter a regional status which supports the Ministerial Amendment request. Combined with this is the need to expeditiously include the ESO2 in the Planning Scheme to inform landowners of the development requirements in the catchment. A Council initiated amendment, involving public exhibition, would likely take a year to complete and would involve an expensive Panel process. This is not an acceptable outcome given that the practical impacts of the catchment are already effective in the Planning Scheme and the application of the ESO2 seeks only to recognise this fact.

### **Proposal**

The proposal is to request written support from Baw Baw and Latrobe Councils, SGW, Gippsland Water and the West Gippsland Catchment Management Authority for the inclusion of the Tarwin Catchment in the ESO2 by a Ministerial Amendment.

Following receipt of correspondence from the abovementioned organisations, the proposal is to request the Minister for Planning prepare a Ministerial Amendment to include the ESO2 over the Tarwin Catchment (with the exception of the areas serviced by reticulated sewerage) and introduce a new ESO2 Schedule into the South Gippsland Planning Scheme as part of the same amendment.

Also proposed is to enter into negotiations with SGW to prepare an agreement to identify planning permit applications in all of the Shire's declared water supply catchments which do not require referral to SGW.

### **FINANCIAL CONSIDERATIONS**

The financial implications of the Ministerial amendment request are limited to the statutory fees for the request and processing time.

Broader financial implications resulting from the implementation of the ESO2 into the Planning Scheme are anticipated to be limited. Some additional planning permit applications will be triggered by the ESO2 however most

permit triggers will occur in circumstances where a planning permit is already required by another control - either a zone control or an existing overlay control. The ESO2 schedule has been specifically worded to minimise the number of permit triggers, especially for building additions and alterations in the Township Zone where reticulated sewer is not available.

### **RISK FACTORS**

The primary reason for recommending the introduction of an ESO2 into the Planning Scheme is the recognition that a substantial risk is presented to landowners, Council and SGW resulting from the absence of the overlay control from the Planning Scheme.

Council is the Planning Authority responsible under the Planning and Environment Act 1987 for the administration of the South Gippsland Planning Scheme. Failure to take appropriate action to inform landowners of the statutory requirements affecting land (by the application of appropriate overlay controls) may open Council to criticism that it has not fulfilled its role to responsibly administer the Planning Scheme.

### **CONCLUSION**

The recent VCAT decisions, and the new State Government guidelines for the assessment of planning permit applications in water supply catchments, has introduced into the planning system a restrictive development control not previously exercised in many planning schemes across the state. South Gippsland Shire has been particularly affected by the changes because the Shire has one of the largest water supply catchments in the state not already included in an ESO or the Rural Conservation Zone. Combined with this is the fact that most of the Tarwin Catchment is an open catchment, mostly comprised of privately owned land, the majority of which is in the Farming Zone and some of which includes vacant lots which the Rural Land Use Strategy supports dwelling development upon.

The existing planning permit application referral requirements set-out at Clause 66 of the Planning Scheme (State-wide provisions) already require almost all planning permit applications in water supply catchments to be referred to the relevant water authority for a determination which is binding on Council. This means that the full force and effect of the new planning permit assessment regime in water supply catchments is already effective in the South Gippsland Planning Scheme, regardless of the ESO2 not being applied to the Tarwin Catchment. Because the impact of the controls are already effective (and detrimentally affecting some landowners), it is essential that Council include the Tarwin Catchment in the Planning Scheme as a priority to ensure that landowners and land purchasers are aware of the Tarwin Catchment and the restrictions it brings. The most effective way of achieving this outcome is via a Ministerial Amendment to introduce the Tarwin Catchment into the three affected Planning Scheme.

## RECOMMENDATION

That Council:

1. Write to Baw Baw Shire Council, Latrobe City Council, South Gippsland Water, Gippsland Water and the West Gippsland Catchment Management Authority requesting written support for South Gippsland Shire Council's request for the Minister for Planning to introduce the Environmental Significance Overlay Schedule 2 (Water catchments) over the entire area of the Tarwin River (Meeniyah) Water Supply Catchment with the exception of areas already serviced by reticulated sewerage.
2. Request Baw Baw Shire Council and Gippsland Water's support to extend the Mirboo North Catchment into the Baw Baw Planning Scheme.
3. Following receipt of correspondence from the above organisations, write to the Minister for Planning requesting the introduction of the Environmental Significance Overlay Schedule 2 over the unsewered areas of the Tarwin Catchment and Mirboo North Catchment (where supported by the affected councils) pursuant to Section 20(4) of the Planning and Environment Act 1987.
  - a. With respect to the South Gippsland Planning Scheme, request the Minister introduce as part of the amendment a new ESO Schedule 2 ordinance provision generally in accordance with the Schedule provided in Attachment 3.
4. Commence discussions with South Gippsland Water and Gippsland Water to prepare an agreement between the water authorities and Council to identify planning permit applications in declared water supply catchment areas that do not require referral to the water authorities.

## STAFF DISCLOSURE OF INTEREST

Nil

**MOVED: Cr Hutchinson-Brooks      SECONDED: Cr Hill**

**THAT COUNCIL:**

1. **WRITE TO BAW BAW SHIRE COUNCIL, LATROBE CITY COUNCIL, SOUTH GIPPSLAND WATER, GIPPSLAND WATER AND THE WEST GIPPSLAND CATCHMENT MANAGEMENT AUTHORITY REQUESTING WRITTEN SUPPORT FOR SOUTH GIPPSLAND SHIRE COUNCIL'S REQUEST FOR THE MINISTER FOR PLANNING TO INTRODUCE THE ENVIRONMENTAL SIGNIFICANCE OVERLAY SCHEDULE 2 (WATER CATCHMENTS) OVER THE ENTIRE AREA OF THE TARWIN RIVER (MEENIYAN) WATER SUPPLY CATCHMENT WITH THE EXCEPTION OF AREAS ALREADY SERVICED BY RETICULATED SEWERAGE.**
2. **REQUEST BAW BAW SHIRE COUNCIL AND GIPPSLAND WATER'S SUPPORT TO EXTEND THE MIRBOO NORTH CATCHMENT INTO THE BAW BAW PLANNING SCHEME.**
3. **FOLLOWING RECEIPT OF CORRESPONDENCE FROM THE ABOVE ORGANISATIONS, WRITE TO THE MINISTER FOR PLANNING REQUESTING THE INTRODUCTION OF THE ENVIRONMENTAL SIGNIFICANCE OVERLAY SCHEDULE 2 OVER THE UNSEWERED AREAS OF THE TARWIN CATCHMENT AND MIRBOO NORTH CATCHMENT (WHERE SUPPORTED BY THE AFFECTED COUNCILS) PURSUANT TO SECTION 20(4) OF THE PLANNING AND ENVIRONMENT ACT 1987.**
  - a. **WITH RESPECT TO THE SOUTH GIPPSLAND PLANNING SCHEME, REQUEST THE MINISTER INTRODUCE AS PART OF THE AMENDMENT A NEW ESO SCHEDULE 2 ORDINANCE PROVISION GENERALLY IN ACCORDANCE WITH THE SCHEDULE PROVIDED IN ATTACHMENT 3.**
4. **COMMENCE DISCUSSIONS WITH SOUTH GIPPSLAND WATER AND GIPPSLAND WATER TO PREPARE AN AGREEMENT BETWEEN THE WATER AUTHORITIES AND COUNCIL TO IDENTIFY PLANNING PERMIT APPLICATIONS IN DECLARED WATER SUPPLY CATCHMENT AREAS THAT DO NOT REQUIRE REFERRAL TO THE WATER AUTHORITIES.**

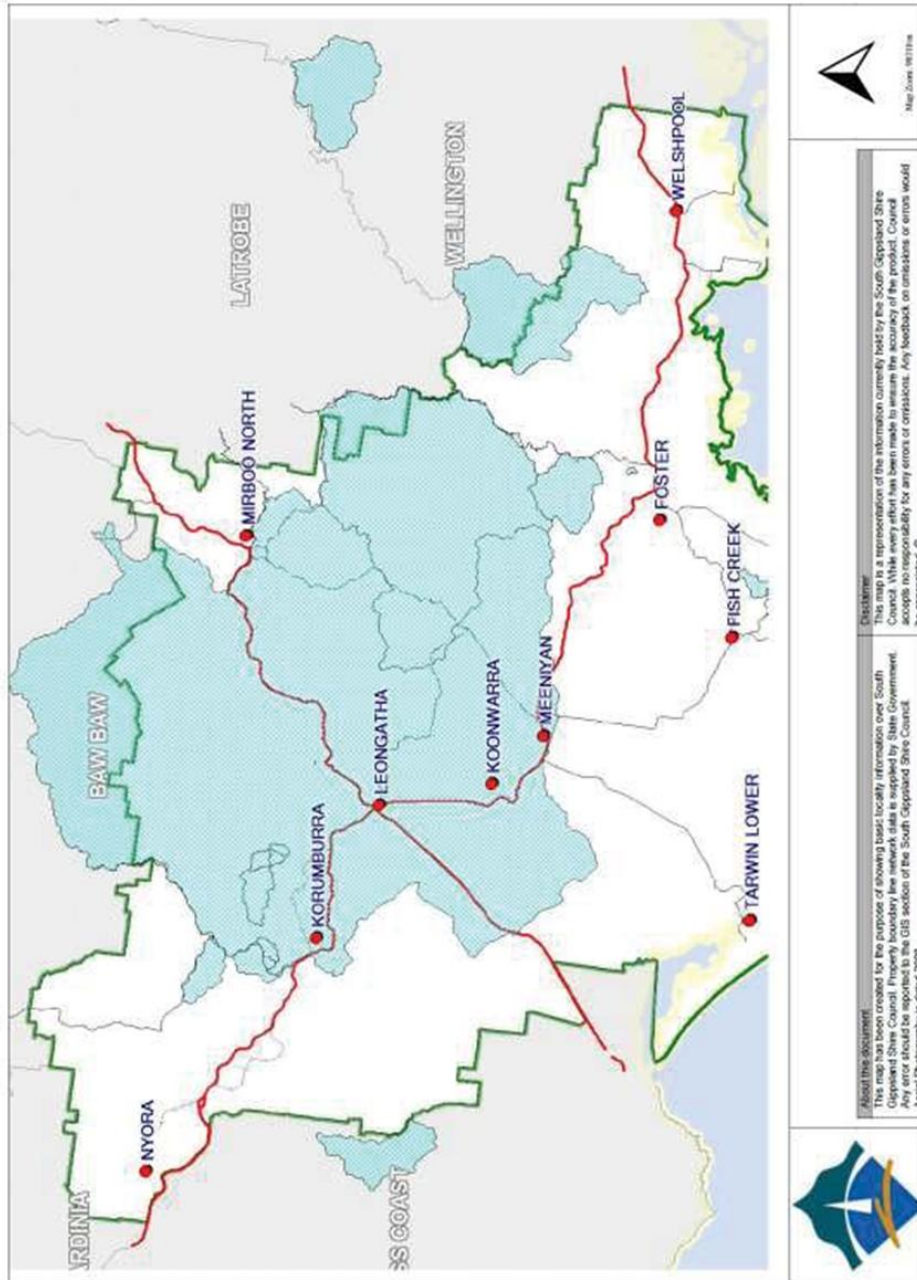
**CARRIEN UNANIMOUSLY**

**Cr Fawcett returned to the Meeting at 3.44pm.**

South Gippsland Shire Council  
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**Attachment 1**  
**Tarwin River Water Supply Catchment proclaimed area**





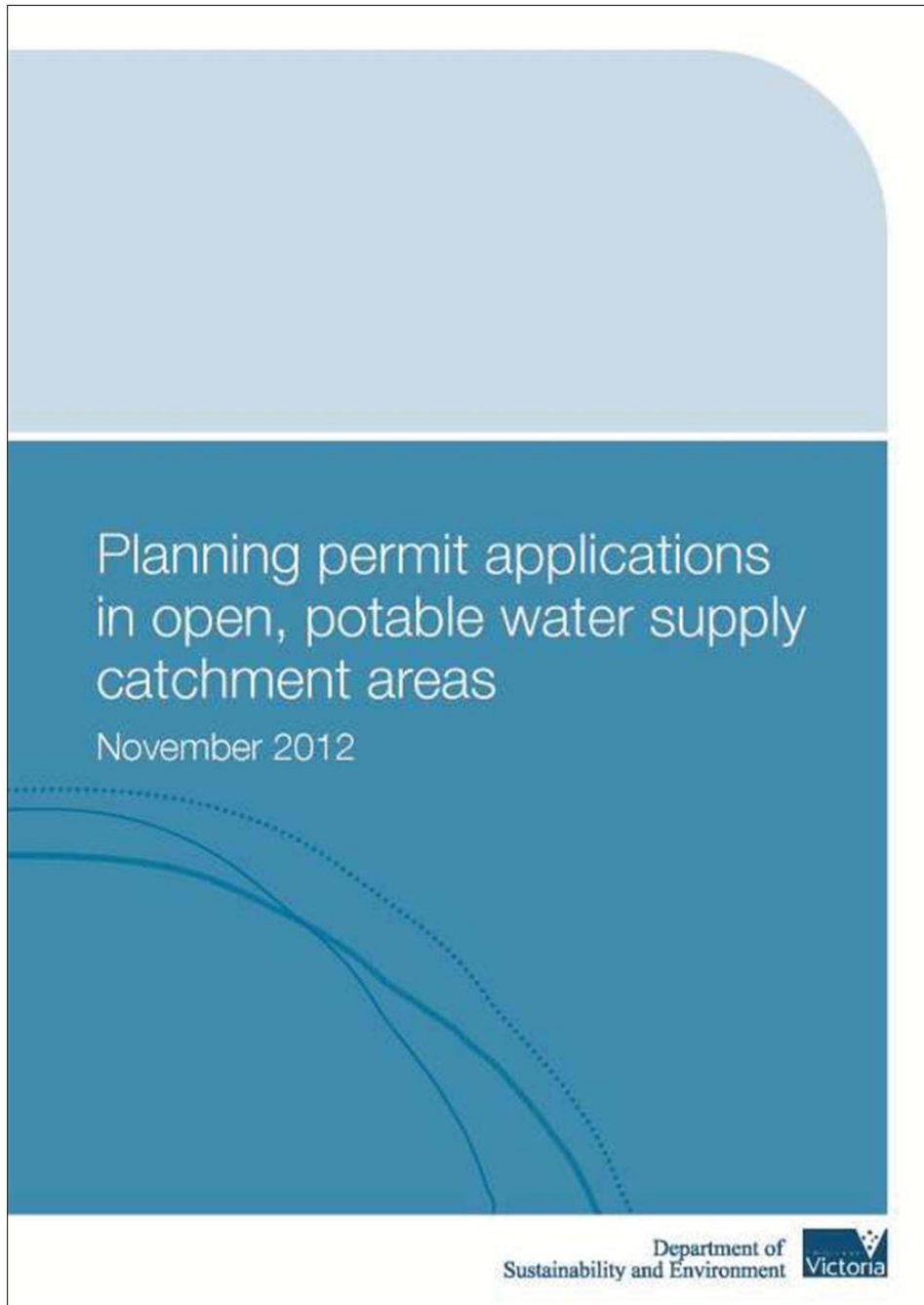
South Gippsland Shire Council  
Minutes

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Leongatha RSL, Leongatha

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### Attachment 2

Department of Sustainability and Environment publication 'Planning permit applications in open, potable water supply catchment areas - November 2012'



South Gippsland Shire Council  
Minutes

28 August 2013  
Leongatha RSL, Leongatha

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November 2012

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## Planning permit applications in open, potable water supply catchment areas

As Minister administering the *Water Act 1989*, I issue the following Guidelines to assist water corporations and other referral and responsible authorities in their assessment of planning permit applications for use and development of land within all open, potable water supply catchments in Victoria. These Guidelines have been adopted for the purposes of s.60(1A)(g) of the *Planning and Environment Act 1987*.



**Peter Walsh MLA**  
**Minister for Water**

### **Purpose of the Guidelines**

The purpose of the Guidelines is to protect the quality of potable water supplies, using a risk based approach, whilst facilitating appropriate development within these catchments.

### **Where do these guidelines apply?**

These guidelines apply to all open potable water supply catchments declared to be special water supply catchment areas under Division 2 of Part 4 of the *Catchment and Land Protection Act 1994*. Schedule 5 of the Act lists the special water supply catchment areas declared as at 1994. To find out all current declarations and which special water supply catchment areas are open potable water supply catchments and their location, contact the relevant local water corporation.

### **What is an open, potable water supply catchment?**

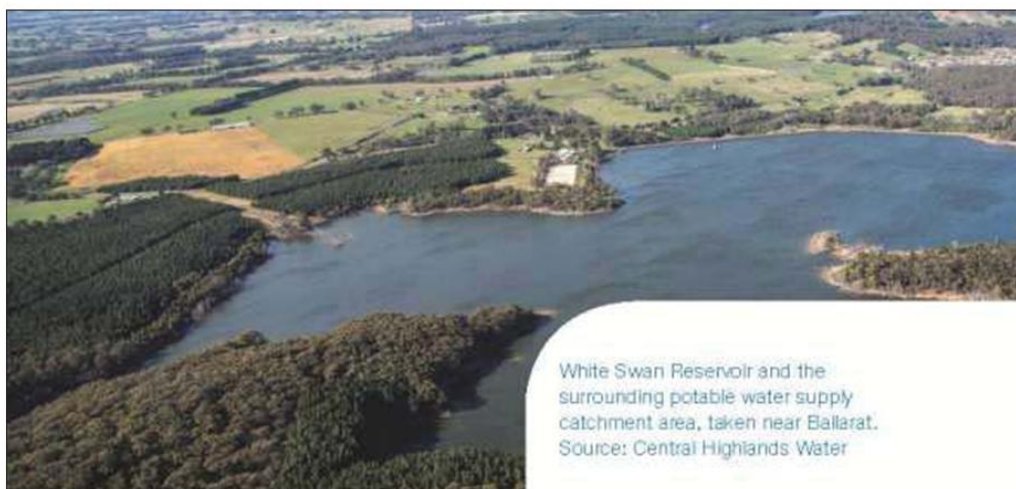
A potable water supply catchment provides water resources to a reservoir (or water storage) used for domestic water supply purposes<sup>1</sup>. There are two types of potable water supply catchments. An 'open' catchment is where part or all of the catchment area is in private ownership and access to the catchment is unrestricted. A 'closed' catchment means that the whole of the catchment area is publicly owned and public access is prohibited.

Water corporations may influence development and land use through the strategic and statutory planning process, as they do not have direct control over land in open, potable water supply catchments. However, because of the risks to public health, all use and development should be sited and managed to protect the quality of water collected from the catchment.

Most water supply catchment areas have a long history of regulation aimed to protect public health by maintaining acceptable levels of water quality flowing into, and stored in, the water storage. This has protected communities from waterborne diseases and the need for excessive chemical treatment.

All land users within catchments need to be aware of the potential effect of their activities on water quality. Residential development and agriculture particularly have the potential to impact adversely on water quality through the discharge of contaminated run-off and wastes, nutrient contributions or sediment to waterways. These key sources of pollutants present different levels of risk to catchments and are the focus of these guidelines.

<sup>1</sup> The catchment and/or reservoir or water storage may also be used for irrigated purposes.



White Swan Reservoir and the surrounding potable water supply catchment area, taken near Ballarat.  
Source: Central Highlands Water

What State planning and environmental policy applies to open, potable water supply catchment areas?

The importance of water quality and water catchments is specifically addressed in Clause 14.02 in the State Planning Policy Framework in all planning schemes. In this clause it is State planning policy to:

- Protect reservoirs, water mains and local storage facilities from potential contamination.
- Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.
- Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

Clause 19.03 of the State Planning Policy Framework adopts the strategy:

- Ensure water quality in water supply catchments is protected from possible contamination by urban, industrial and agricultural land uses.

Section 53M of the *Environment Protection Act 1970* provides that a municipal council must refuse a permit if a proposed onsite waste water/septic tank system is contrary to any State environment protection policy or waste management policy. The State Environment Protection Policy (Waters of Victoria) (SEPP) adopts the precautionary principle as a principle that should guide decisions about the protection and management of Victoria's surface waters when considering a permit for a septic tank system. Clause 32 of the SEPP specifies EPA's expectations in relation to on-site domestic wastewater management, and the EPA provides further guidance in relation to onsite treatment systems (EPA Publication 891, Code of Practice – Onsite Waste Water Management, as updated or replaced).

2 Planning permit applications in open, potable water supply catchment areas November 2012

The proper application of the precautionary principle requires consideration of the cumulative risk of the adverse impact of onsite waste water/ septic tank systems on water quality, in open potable water supply catchments, resulting from increased dwelling density.

The importance of water catchments is also reflected in the special area plans prepared by Catchment Management Authorities, under Division 2 of Part 4 of the *Catchment and Land Protection Act 1994*. These plans assess the land and water resources of catchments in a region and identify objectives and strategies for improving the quality of those resources; they are also able to direct land use activities in a catchment. It is State Planning Policy (Clause 14.02-1) that planning authorities must have regard to relevant aspects of:

- any regional catchment strategies approved under the *Catchment and Land Protection Act 1994* and any associated implementation plan or strategy, including any regional river health and wetland strategies;
- any special area plans prepared under the *Heritage Rivers Act 1992* and approved under the *Catchment and Land Protection Act 1994*, and
- these Guidelines.

For information about any special area or catchment management plans that have been prepared for catchments in your region, contact the regional office of the relevant catchment management authority.

Water corporations, in consultation with other stakeholders, may also prepare a water Catchment Policy, water catchment risk assessment or similar project to address land use planning issues and the cumulative impact of onsite waste water/septic tank systems in a catchment area (Catchment Policy).

These policies can assist in:

- guiding appropriate land use and development within a catchment area, including the location of and conditions on particular land use and development; and
- Determining the areas where Domestic Wastewater Management of existing systems requires additional focus due to the existence of onsite wastewater systems.

Through strategic land use planning and with reference to special area plans and Catchment Policies, areas and causes of greatest risk can be identified and risk based management responses determined.

## The guidelines

Each of these guidelines must be addressed where a planning permit is required to use land for a dwelling or to subdivide land.

### Guideline 1: Density of dwellings

Where a planning permit is required to use land for a dwelling or to subdivide land or where a planning permit to develop land is required pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective:

- the density of dwellings should be no greater than one dwelling per 40 hectares (1:40 ha); and
- each lot created in the subdivision should be at least 40 hectares in area.

This does not apply where:

#### Category 1

A planning permit is not required to use land for a dwelling, to subdivide land or to develop land pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective:

#### Category 2

A permit is required to use land for a dwelling, to subdivide land or to develop land pursuant to a schedule to the Environmental Significance Overlay that has catchment and water quality protection as an objective but the proposed development will be connected to reticulated sewerage.

#### Category 3

A Catchment Policy has been prepared for the catchment and endorsed by the relevant water corporation following consultation with relevant local governments, government agencies and affected persons. The proposed development must be consistent with the Catchment Policy. Or,

*The water corporation will consider allowing a higher density of development than would otherwise be permitted by Guideline 1 where:*

#### Category 4

All of the following conditions are met:

- the minimum lot size area specified in the zone for subdivision is met in respect of each lot;
- the water corporation is satisfied that the relevant Council has prepared, adopted and is implementing a Domestic Wastewater Management Plan (DWMP) in accordance with the DWMP Requirements; and
- the proposal does not present an unacceptable risk to the catchment having regard to:
  - » the proximity and connectivity of the proposal site to a waterway or a potable water supply source (including reservoir);
  - » the existing condition of the catchment and evidence of unacceptable water quality impacts;
  - » the quality of the soil;
  - » the slope of the land;
  - » the link between the proposal and the use of the land for a productive agricultural purpose;
  - » the existing lot and dwelling pattern in the vicinity of site;
  - » any site remediation and/or improvement works that form part of the application; and
  - » the intensity or size of the development or use proposed and the amount of run-off that is likely to be generated.

Note: this requires analysis in addition to a land capability assessment required pursuant to Guideline 2.

## Domestic Wastewater Management Plan Requirements

A DWMP will be considered an acceptable basis for a relaxation of Guideline 1 (as set out above) where the following requirements in relation to the DWMP are satisfied.

These requirements incorporate and build upon (but do not displace) Council responsibilities for developing DWMPs as set out in clause 32(2)(e) of the SEPP.

The DWMP must be prepared or reviewed in consultation with all relevant stakeholders including:

- other local governments with which catchment/s are shared;
- EPA; and
- local water corporations.

The DWMP must comprise a strategy, including timelines and priorities, to:

- prevent discharge of wastewater beyond property boundaries; and
- prevent individual and cumulative impacts on groundwater and surface water beneficial uses.

The DWMP must provide for:

- the effective monitoring of the condition and management of onsite treatment systems, including but not limited to compliance by permit holders with permit conditions and the Code;
- the results of monitoring being provided to stakeholders as agreed by the relevant stakeholders;
- enforcement action where non-compliance is identified;
- a process of review and updating (if necessary) of the DWMP every 5 years;
- independent audit by an accredited auditor (water corporation approved) of implementation of the DWMP, including of monitoring and enforcement, every 3 years;
- the results of audit being provided to stakeholders as soon as possible after the relevant assessment; and
- councils are required to demonstrate that suitable resourcing for implementation, including monitoring, enforcement, review and audit, is in place.

### Guideline 2: Effluent disposal and septic tank system maintenance

The *Environment Protection Act 1970*, the SEPP, EPA Publication 891, *Code of Practice – Onsite Waste Water Management* (as updated or replaced), and other EPA publications and Australian standards regulate and guide the accreditation, installation and management of onsite treatment systems for the collection, treatment and disposal or reuse of wastewater.

Any application for a planning permit must demonstrate that a proposed use, development or subdivision of land to which these Guidelines apply will comply with all applicable laws and guidelines, including the need to obtain a Council permit under the *Environment Protection Act 1970* for the installation of an onsite wastewater management system and associated systems.

### Guideline 3: Vegetated corridors and buffer zones along waterways

Planning and responsible authorities should encourage the retention of natural drainage corridors with vegetated buffer zones at least 30 metres wide along waterways. This will maintain the natural drainage function, minimise erosion of stream banks and verges and reduce polluted surface run-off from adjacent land uses.

### Guideline 4: Buildings and works

Buildings and works (including such things as land forming and levee bank construction) should not be permitted to be located on effluent disposal areas, to retain full soil absorption and evaporation capabilities, and should be setback at least 30 metres from waterways to minimise erosion and sediment, nutrient and salinity-related impacts.

Appropriate measures should be used to restrict sediment discharges from construction sites in accordance with *Construction Techniques for Sediment Pollution Control*, *Environment Protection Authority, 1991* and *Environmental Guidelines for Major Construction Sites*, *Environment Protection Authority, 1995*.

### Guideline 5: Agricultural activities

To prevent the pollution of waterways and damage to streamside vegetation (which contributes to bed and bank stability and filters overland flows entering the stream), stock access to waterways should be minimised.

Stocking rates should take into account the capabilities of the land to sustain grazing and the potential impact of overstocking on the catchment.

Reductions in agricultural and veterinary chemicals run-off should be encouraged by improved management of rates and frequencies of application.

The inappropriate disposal of fuel and fuel containers, the disposal of dead animals, the treatment and disposal of effluent from intensive agricultural industries, and the delivery and storage of chemicals are some of the other agricultural activities which can pose a risk to water quality. Intensive animal industry is a scheduled (regulated) activity under the *Environment Protection (Scheduled Premises and Exemptions) Regulations 2007*.

If a property owner proposes to build a farm dam for commercial or irrigation purposes in an open, potable water catchment, an application for a licence must be made under Section 51 of the *Water Act 1989*. The application for a licence must be made to the relevant Rural Water Corporation.

<sup>4</sup> Planning permit applications in open, potable water supply catchment areas November 2012

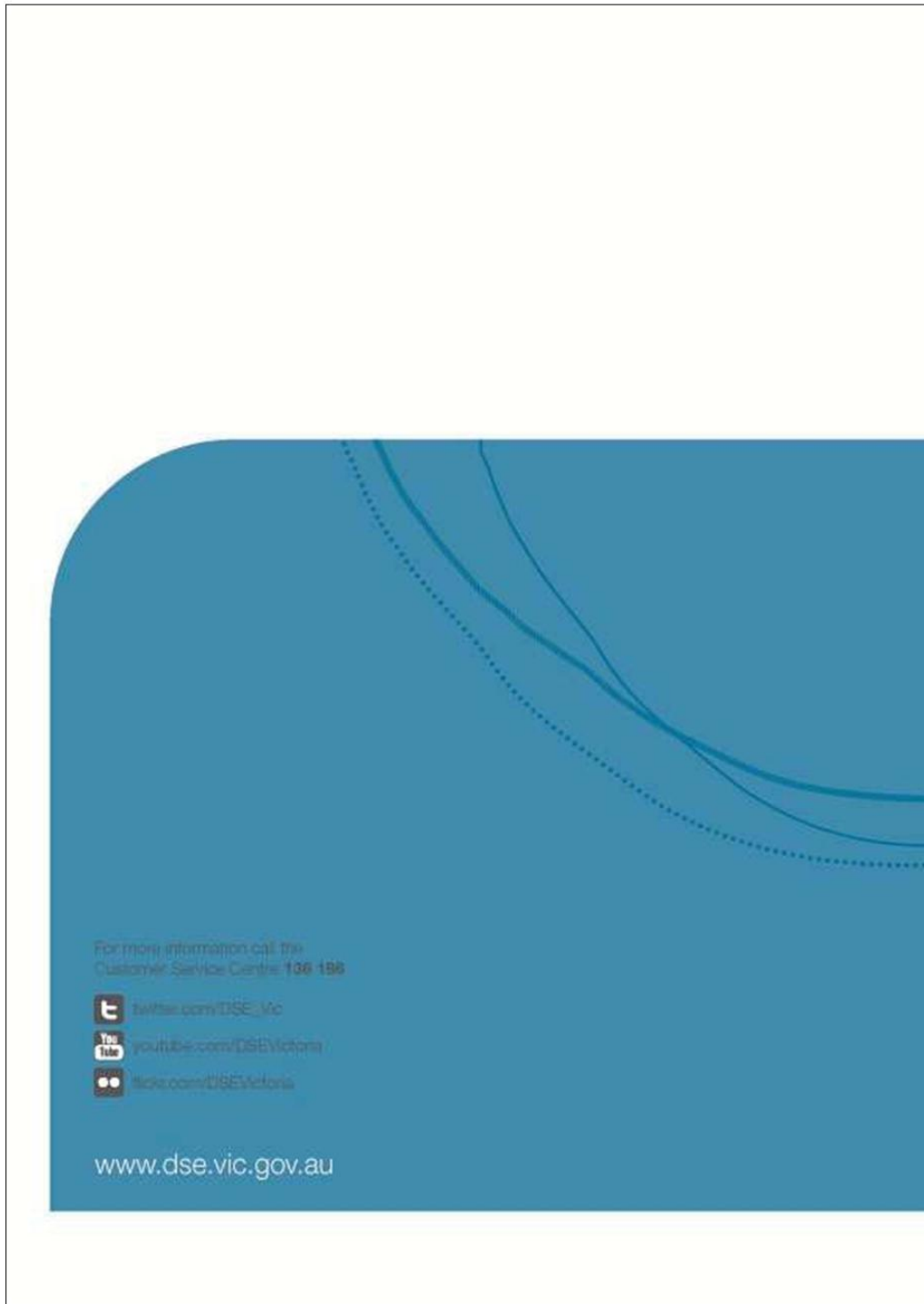
Kind of application	Referral authority
To use or develop land for a cattle feedlot.	Minister for Agriculture.  If the site is located within a special water supply catchment area under the <i>Catchment and Land Protection Act 1994</i> , the relevant water corporation under the <i>Water Act 1989</i> and the Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i> .  If the number of cattle is 5,000 or more, the Environment Protection Authority.
To use, subdivide or consolidate land, to construct a building or to construct or carry out works, or to demolish a buildings or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <i>Catchment and Land Protection Act 1994</i> and which provides water to a domestic water supply.  This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.	The relevant water board or water supply Authority (referred to as "water corporation" throughout these Guidelines).
To use or develop land for extractive industry in Special Areas declared under s.27 of the <i>Catchment and Land Protection Act 1994</i> .	Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i> .

Other provisions of the planning scheme may also require referrals for other reasons.

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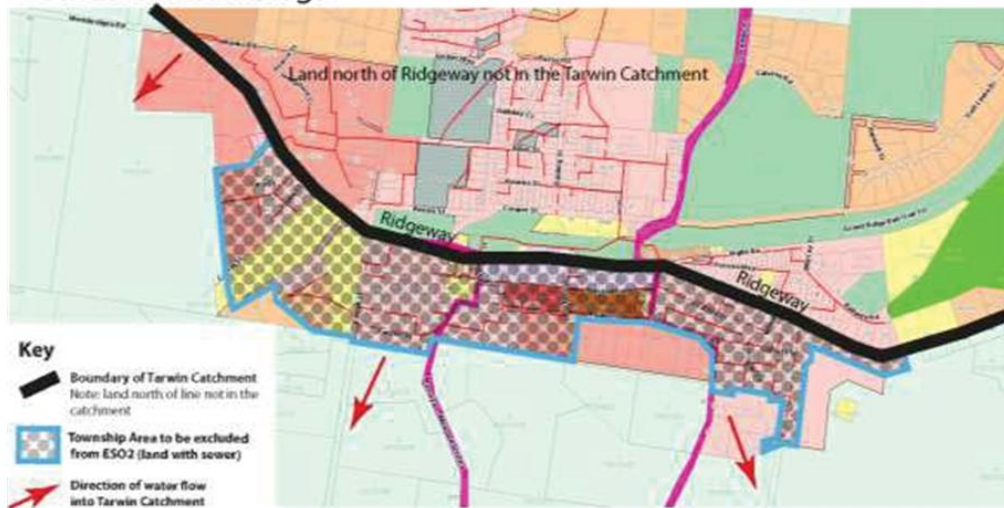




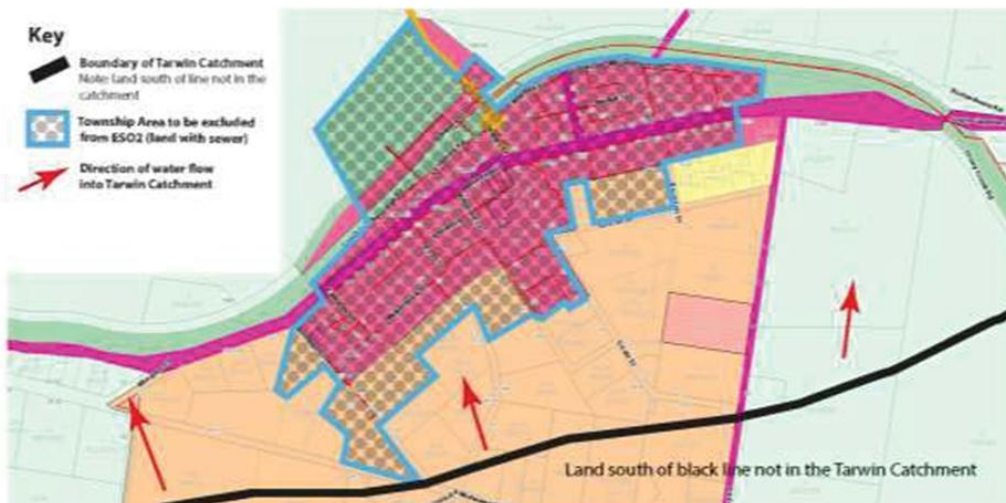
Attachment 3

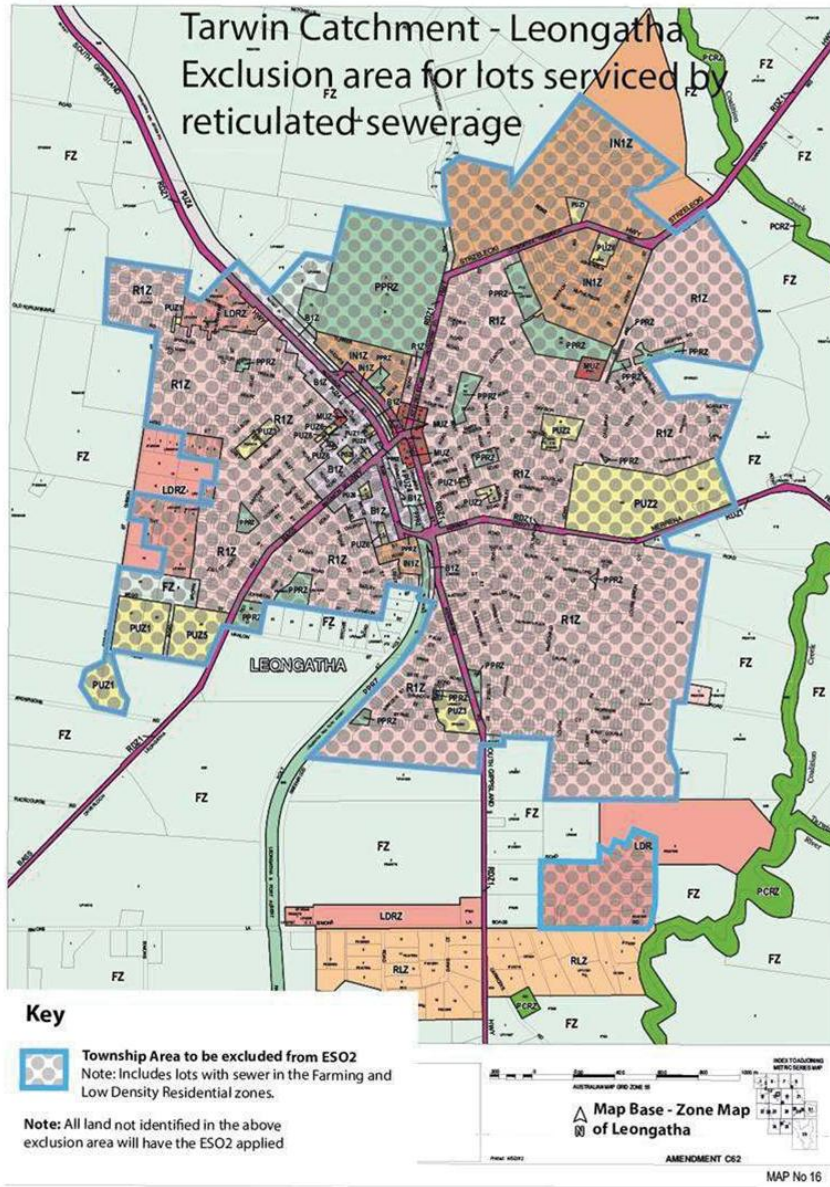
Proposed Tarwin Catchment ESO2 maps and ordinance provisions

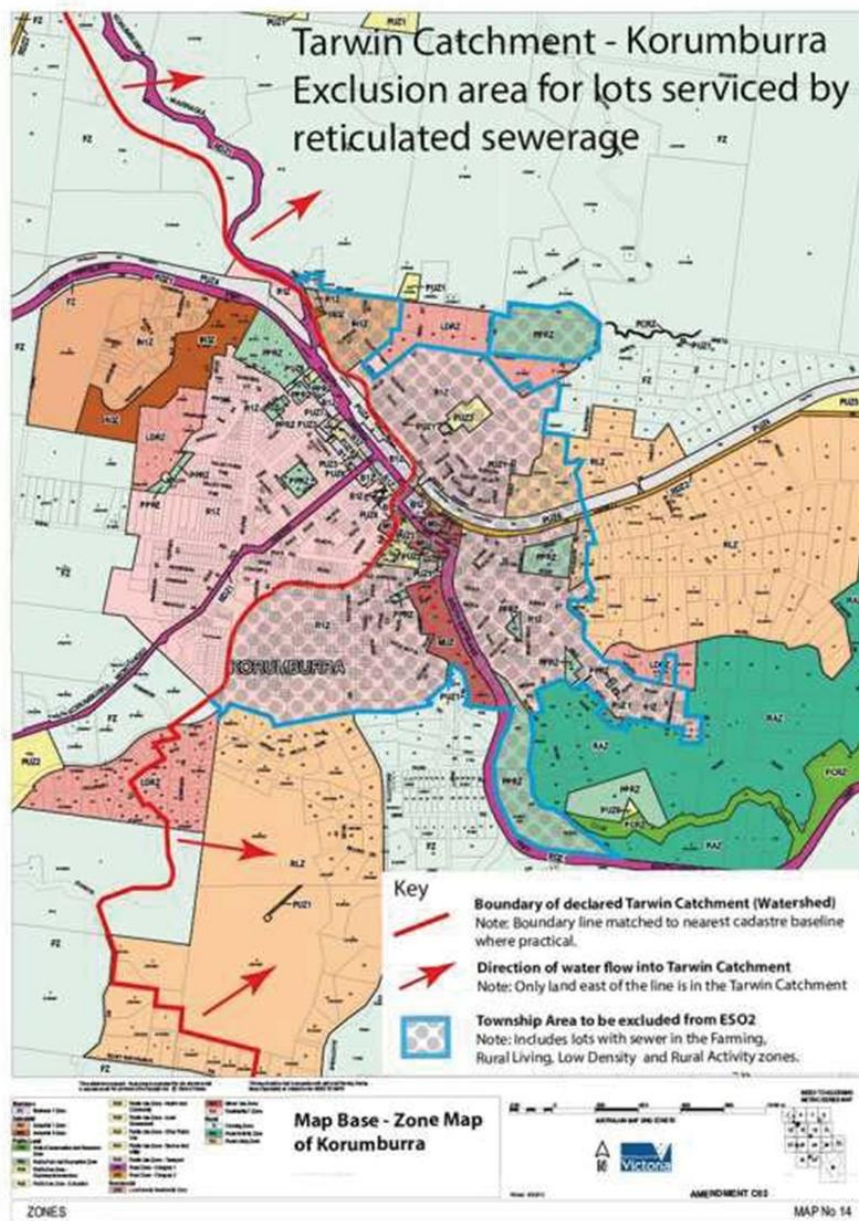
Tarwin Catchment - Mirboo North  
Exclusion area for lots serviced by  
reticulated sewerage



Tarwin Catchment - Meeniyan  
Exclusion area for lots serviced by  
reticulated sewerage







SOUTH GIPPSLAND PLANNING SCHEME

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**SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as **ESO2**.

**SPECIAL WATER SUPPLY CATCHMENT AREAS**

**1.0 Statement of environmental significance**

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C—

Substantial areas of land in South Gippsland Shire are located in catchments that are used to provide water for urban, domestic, and irrigation water supply. These catchments are in a Special Water Supply Catchment Area as declared in the Catchment & Land Protection Act 1994.

The supply of quality water for a range of uses including human consumption (potable) and domestic use, agriculture, and industry depends on sound long-term management of water supply catchments.

In managing water supplies, water authorities are concerned to ensure that land and water management practices do not incrementally decrease the quality of water and increase risk to human health. In particular, such practices must not lead to increased nutrient and sediment loads (or other pollutants) in waterways and water storages, or result in a reduction of inflows into waterways.

Cumulative developments in catchments over extended time periods have the potential to gradually diminish water quality and increase risk to human health. Combined with an anticipated reduction in rainfall as a result of climate change, managing development in catchments must focus on the long term protection of the natural asset and strongly encourage development to implement measures that reduce or entirely avoid detrimental impacts on water quality and quantity.

**2.0 Environmental objective to be achieved**

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C—

- To protect and maintain water quality and quantity in Special Water Supply Catchment areas used for human consumption, domestic, industrial and rural water supply.
- To ensure that development activity and land management practices are consistent with the long term conservation of potable water supply resources.
- To minimise the impact of residential development and intensive farming activity in Special Water Supply Catchment areas, particularly near water supply take-off points and storage reservoirs.
- To encourage retention of native vegetation and the establishment of new vegetation cover, particularly within 30 metres of a waterway.
- To consider the cumulative impact of development on Special Water Supply Catchments over an extended time period having regard to climate variability and anticipated reduced inflows in catchments.
- To minimise the impact of development in townships without reticulated sewerage, particularly having regard to small lot sizes, existing water contamination levels and the long term expectation that small towns will remain unsewered.
- To ensure new development proposals meet best practice guidelines for agricultural, domestic, commercial and industrial wastewater treatment which result in reduced nutrient flows.

SOUTH GIPPSLAND PLANNING SCHEME

**3.0 Permit requirement**

3.0

A permit is not required for the following:

- Construct a building, carrying out works, subdivision of land or remove, destroy or lop any vegetation where reticulated sewerage is provided to the lot.
- Construct a single dwelling on a lot, dwelling additions / alterations, dwelling related outbuildings and associated works provided all of the following requirements are met:
  - The lot is 40 hectares or greater.
  - The buildings and works (including waste water treatment works) are located 100 metres or more from a waterway, wetland, flood plain<sup>1</sup> and/or 300 metres or more from a water supply reservoir<sup>2</sup>.
- Construct building additions, alterations and outbuildings on a lot less than 40 hectares provided all of the following requirements are met:
  - The number of bedrooms in a dwelling is not increased (where studies or studios that are separate rooms are counted as bedrooms).
  - The additions, alterations and outbuildings do not provide additional sanitary, laundry, kitchen or other water fixtures that generate waste water or effluent.
  - The additions, alterations and outbuildings are more than 100 metres from a waterway, wetland, flood plain<sup>1</sup> and/or 300 metres or more from a water supply reservoir<sup>2</sup>.
- The construction of buildings and works associated to the use of the land for Agriculture provided all of the following requirements are met:
  - The buildings and works are more than 100m from a waterway, wetland, flood plain<sup>1</sup> and/or 300 metres or more from a water supply reservoir<sup>2</sup>.
  - The building(s) do not include sanitary, laundry, kitchen or other water fixtures that generate waste water or effluent.
  - The buildings and works are not associated to the use of the land for Intensive animal husbandry.
- Buildings and works specifically identified in a whole farm plan approved by the responsible authority and water supply authority.
- Buildings and works in relation to 'Informal outdoor recreation' provided it does not require permanent onsite waste water treatment.
- Minor buildings and works (excluding vegetation removal) in association with landscaping and garden maintenance in a domestic garden associated with a dwelling.
- Buildings and works in relation to a 'Telecommunication facility' provided the facility does not include any treatment of effluent.
- The removal, destruction or lopping of vegetation which is non-native to Victoria except where the vegetation is within 30 metres of a waterway, wetland, flood plain<sup>1</sup> or water reservoir<sup>2</sup>.
  - The requirement for a permit to remove non-native vegetation within 30 metres of a waterway, wetland, flood plain<sup>1</sup> or water supply reservoir<sup>2</sup> does not apply to declared noxious weed recognised by the Department of Environment and Primary Industries.
- Buildings and works (including vegetation removal, destruction or lopping) undertaken by, or on behalf of, the Department of Environment and Primary Industries, Parks Victoria, South Gippsland Region Water Corporation, Central Gippsland Region Water Corporation, West Gippsland Catchment Management Authority, South Gippsland Shire Council and the Road Corporation under relevant legislation.

SOUTH GIPPSLAND PLANNING SCHEME

- Earthworks associated with timber production that meets all the relevant requirements of the *Code of Practice for Timber Production 2007* or any superseding document.
- A subdivision by a public authority, or a utility provider, provided the subdivision does not create a new lot within 100 metres of a waterway, wetland, flood plain<sup>1</sup> and/or within 300 metres from a water reservoir<sup>2</sup>.
- An outdoor advertising sign / structure.

A permit is required for:

- A dependent person's unit on a lot less than 40 hectares or on any land within 100m of a waterway, wetland, flood plain<sup>1</sup> and/or 300 metres or less from a water supply reservoir<sup>2</sup>.
- A swimming pool within 100 metres from a waterway, wetland or flood plain<sup>1</sup>.
- An effluent storage dam or settlement ponds in association with the agricultural use of land.

Permit requirement explanatory note:

Flood plain<sup>1</sup>. For the purpose of this schedule a flood plain is land included in a planning scheme overlay flood control and land affected by the 100 year Average Recurrence Interval flood level (1 in 100 year flood level) recognised and mapped by the relevant floodplain management authority.

Water reservoir<sup>2</sup>. The requirement for a planning permit in relation to buildings and works within 300 metres of a water reservoir does not apply to proposals on land outside of the water reservoir capture slope (downhill of the water reservoir) or any circumstance where the water reservoir is an above ground structure.

4.0

**Application requirements**

An application to construct buildings or to carry out or construct works must be accompanied by a report which demonstrates / includes the following:

- A Land Capability Assessment (in accordance with EPA Publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management - or any superseding document(s)) demonstrating the land is capable of absorbing sewage and sullage effluent generated on the lot in accordance with the EPA Code of Practice - Onsite Wastewater Management (Publication 891.3) or any superseding document(s).
- That the design of any wastewater treatment system will ensure that nutrients, pathogens or other pollutants from wastewater will not enter any waterway, wetland, flood plain or water supply reservoir or otherwise detrimentally affect the designated beneficial uses of groundwater or surface water.
- That any activities will be carried out and maintained to prevent erosion and the siltation of any waterway or wetland in accordance with EPA Victoria publication - Construction Techniques for Sediment Pollution Control 1991 or any superseding document(s).
- That any removal, destruction or lopping of native vegetation will not compromise the quality of water within proclaimed catchment areas.
- That the siting of buildings and wastewater treatment systems will not compromise the quality of water within declared catchment areas.
- Details of slope (including contours at an appropriate scale), soil type, extent of excavation and vegetation including details of new plantings to occur.

These requirements can be reduced or set-aside if in the opinion of the responsible authority compliance is unnecessary for the application to demonstrate compliance with the Objectives and Decision guidelines of the schedule.

SOUTH GIPPSLAND PLANNING SCHEME

**5.0 Decision guidelines**

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C--

Before deciding on an application, the responsible authority must consider:

- The likely impacts of the proposed development on water quality and quantity in the water supply catchment.
- The potential cumulative impact of development on the quality and quantity of water in the water supply catchment over extended periods of time.
- Whether new development proposals will lead to an increase in the amount of nutrients reaching streams, surface water bodies and groundwater.
- Whether subdivision and intensive farming activities in water supply catchments, especially in the lower areas of water supply catchments near take-off points are appropriate.
- Any relevant catchment management plan, policy, strategy or Ministerial Direction, including the Ministerial Guideline for Planning Permit Applications in Open Potable Water Supply Catchment Areas or any superseding document(s).

**6.0 Referral of applications**

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C--

An application must be referred to the relevant water board or water supply authority under Section 55 of the Act, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the water board or water supply authority.



**AGENDA APPENDIX**  
**Council Meeting**  
**Wednesday 28 August 2013**

**AGENDA ITEM FOR SEPARATE DISTRIBUTION TO COUNCILLORS AND EXECUTIVE LEADERSHIP TEAM DUE TO DOCUMENT SIZE.**

**THE ITEM IS ACCESSIBLE VIA THE COUNCIL WEBSITE OR BY CONTACTING COUNCIL ON 03 5662 9200.**

**E.7 TARWIN RIVER WATER SUPPLY CATCHMENT - INCLUSION OF THE OPEN POTABLE WATER SUPPLY CATCHMENT IN THE ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2**

**APPENDIX 1- Council Report 22 May 2013**



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Councillor Fawcett left the room at 3.45pm with a declared indirect conflict of interest in Council Reports Item E.5 – **PLANNING PERMITS APPLICATIONS WITHIN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS** as he has a conflicting duty in that he is a Director of South Gippsland Water which has an interest in this item.

**E.5 PLANNING PERMITS APPLICATIONS WITHIN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS**

Development Services Directorate

**EXECUTIVE SUMMARY**

This Report is provided in response to a Resolution of Council from the Ordinary Meeting of 24 April 2013 being:

**THAT COUNCIL PREPARE A REPORT THAT:**

- 1. IDENTIFIES THE ISSUES FACING LANDOWNERS WITHIN THE SHIRE CAUSED BY PLANNING APPLICATION REFERRALS TO SOUTH GIPPSLAND WATER FOR DWELLING AND SUBDIVISION APPLICATIONS WITHIN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS.**
- 2. UPDATES COUNCIL ON THE PROGRESS OF DISCUSSIONS WITH SOUTH GIPPSLAND WATER WITH REGARD TO INTERPRETATION OF CATEGORY 3 AND 4 EXEMPTIONS OF THE PLANNING PERMIT APPLICATIONS IN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS GUIDELINES 2012.**
- 3. PROVIDES OPTIONS TO COUNCIL, AND ESTIMATED COSTS, TO ADDRESS THE IMPACT TO SOUTH GIPPSLAND OF THE OPEN POTABLE WATER SUPPLY GUIDELINES.**
- 4. INCLUDES A FACT SHEET EXPLAINING THE IMPLICATIONS OF POTABLE WATER SUPPLY WITH REGARD TO PERMIT APPLICANTS AS IT NOW STANDS AND DISTRIBUTES THIS DOCUMENT TO ALL REAL ESTATE AGENTS AND MAKES THIS AVAILABLE ON COUNCIL'S WEBSITE IN THE APPROPRIATE SECTIONS INCLUDING A LINK FROM THE FRONT PAGE.**
- 5. IS INCLUDED IN THE COUNCIL AGENDA 22 MAY 2013.**

The resolution requests that the report identifies issues faced by landowners for planning applications for dwelling and subdivision applications within open, potable water supply catchment areas and provides options and costs for Council.

The resolution is particularly concerned with the Guidelines "Planning permit applications in open, potable water supply catchment areas" (the guidelines) published in November 2012 by the Minister for Water.

This report provides a complete response to resolution items one, two, four and five, in that it:

- Identifies issues facing landowners;
- Updates council on the progress of discussions with South Gippsland Water with regard to category 3 and 4 exemptions of the guidelines; and
- Tables a fact sheet that has been produced to communicate with landowners.

Options available to Council to address the impact of the guidelines and currently being discussed with SGW include:

1. Introduction of an Environmental Significance Overlay (ESO2) into the South Gippsland Planning Scheme that cover the Tarwin Catchment;
2. Development of a Catchment Strategy; and
3. Development and implementation of a Municipal Domestic Waste Water Management Plan.

As discussions with South Gippsland Water (SGW) are ongoing, this report recommends that a later report be presented to Council identifying the options available to Council and estimated costs, to address the impact to South Gippsland of the guidelines.

Document/s pertaining to this Council Report

- **Attachment 1** - Tarwin River Water Supply Catchment Proclaimed Area.
- **Attachment 2** - SGSC Fact Sheet on Planning Permit Applications In Open Potable Water Supply Catchments.
- **Appendix 1** - 'Planning Permit Applications In Open, Potable Water Supply Catchment Areas' - DSE Publication November 2012.
- **Appendix 2** - 'Guidance Note For Determining Dwelling Density When Assessing Planning Permit Applications' - Victorian Water Industry publication December 2012.

A copy of **Appendix 1 and 2** are available on Council's website: [www.southgippsland.vic.gov.au](http://www.southgippsland.vic.gov.au) or by contacting 5662 9200.

**LEGISLATIVE / ACTION PLANS / STRATEGIES / POLICIES**

Planning and Environment Act 1987

## **INTERNAL POLICIES / STRATEGIES / DOCUMENTS**

Municipal Domestic Waste Water Management Plan 2013 (draft)

### **COUNCIL PLAN**

Strategic Goal: 2.0 A Sustainable Environment  
Outcome: 2.2 Land Management  
Strategy No: 2.2.1 Land Use Planning

### **CONSULTATION**

During the review of the guidelines in 2012, a number of Victorian Council's including South Gippsland, lobbied the Minister for Planning and Minister for Water through a working group formed by the Municipal Association of Victoria (MAV). It is South Gippsland's view that the dwelling density guideline does not have the adequate scientific research to support the prescriptive dwelling density restrictions.

Since the introduction of the revised guidelines in November 2012, Council has held discussions with SGW. These discussions have focused on potential options for permitting a higher density of development than would otherwise be permitted by the guideline. Discussions have been positive but it is not yet clear what the future costs and impacts will be associated with the development of catchment policies or implementation of compliance programs.

### **REPORT**

#### **Background**

##### Tarwin River Water Supply Catchment (Tarwin Catchment)

Water supply catchments are geographic areas (watersheds) where water is drawn from a waterway or reservoir for the purpose of domestic use, including human consumption. An 'open catchment' is where part or all of the catchment area is in private ownership and access to the catchment is unrestricted.

The largest declared catchment within South Gippsland Shire is the Tarwin Catchment. Under the Act, Council is required to refer planning permit applications for dwellings located within the Tarwin Catchment to SGW. Council is required by the Act to include permit conditions, or refuse permit applications, as directed by SGW.

The Tarwin Catchment was proclaimed on 2 May 1990 and has an area of 107,200 hectares and extends into Baw Baw Shire at its northern extent and Latrobe City at its eastern extent. It covers approximately one third of the Shire's total area.

The Tarwin Catchment includes the townships of Leongatha, Korumburra, Koonwarra, Meeniyan, Dumbalk, Mirboo and the southern extent of Mirboo North. The purpose of the Tarwin Catchment is to protect the potable water supply of Meeniyan and Dumbalk. Both townships draw water from the Tarwin River.

(Please refer to **Attachment 1** - Tarwin River Water Supply Catchment proclaimed area).

Planning Permit Applications In Open, Potable Water Supply Catchment Areas Guidelines

Council is required to refer all new planning permit applications for dwellings within declared open, potable water supply catchment areas for comment to the responsible water authority under s.55 of the Planning and Environment Act 1987 ("the Act").

Council refers planning permit applications for new dwellings within the Tarwin Catchment to South Gippsland Water (SGW). The Act requires Council to include permit conditions, or refuse permit applications, as directed by SGW.

Subject to adequately addressing other applicable planning controls of the South Gippsland Planning Scheme, Council's recently adopted Rural Land Use Strategy (RLUS) supports the development of dwellings on lots less than 4.1 ha in area. A refusal may result in a direct conflict with Council's RLUS.

Water Authorities assess planning permit applications for new dwellings using the Department of Sustainability and Environment (DSE) guidelines for 'planning permit applications in open, potable water supply catchments areas'. In the absence of satisfying a category exemption, these guidelines limit the development of new dwellings within water catchment areas to 1 in 40 hectares (ha) or more explicitly 8 dwellings within a 1km radius i.e. 8:314 ha.

The Minister for Water reviewed these guidelines in November 2012 following concerns raised by Councils through the MAV that the guidelines didn't have the appropriate scientific merit and resulted in undesirable development restrictions.

The review of these guidelines resulted in the retention of the 1 in 40 ha dwelling density guideline. However, four exemptions were included and if satisfied, the water corporation will consider allowing a higher density of development than would otherwise be permitted by the guideline.

Council is currently in discussion with SGW to identify options to satisfy the various category exemptions listed in the dwelling density guideline. Options include developing a Catchment Policy, implementing a Municipal Domestic Waste Water Management Plan (MDWMP) or placing an Environmental Significant Overlay (ESO2) over the Tarwin Catchment which schedules out certain development proposals. Developing strategies to SGW satisfaction

will allow a higher density of development than would otherwise be permitted by the dwelling density guideline.

(Please refer to **Appendix 1** - 'Planning Permit Applications In Open, Potable Water Supply Catchment Areas' - DSE Publication November 2012)

#### VCAT and Victorian Supreme Court Decisions

The significance of water supply catchments for land use planning was reinforced in February 2012 when VCAT determined (Simpson V Ballarat CC, Ref No.P2179/2011) that a dwelling in a water supply catchment area should be refused because of the potential cumulative impact dwelling approvals may have in a catchment. VCAT determined that protecting potable water supply quality and human health are of paramount importance and justified the refusal of a single dwelling on a vacant Farming Zone lot. Subsequent VCAT decisions have affirmed this decision with further developments which do not meet the guidelines being refused in water supply catchment areas.

VCAT in its decision often refers to a Supreme Court decision of 2010 which found that when considering development in open potable water supply catchment areas, risk to human health is highly relevant, and, because of its serious nature, must be given priority over other planning objectives.

Until the significant ('red dot') decision by VCAT in February 2012 and subsequent review of the guidelines in November 2012 application and interpretation of these guidelines varied significantly between the States Water Authorities.

#### Current Status

Following the review of the guidelines SGW has indicated that it will refuse all planning permit applications within the Tarwin Catchment that result in a dwelling density of greater than 1:40 ha until appropriate provision is made to address the relevant guideline exemptions.

The criteria SGW and other water authorities use for determining dwelling density when assessing planning permit applications is provided in a guidance note produced by Vic Water in February 2013. This guidance note assesses dwelling density using a 1km radial method. This method results in water authorities not supporting planning permit applications for new dwellings where there are currently 8 or more dwellings within a 1km radius of the subject site, i.e. 8:314 ha, regardless of property size.

There are four category exemptions to the dwelling density guidelines, however other than the provision of sewer, the other three category exemptions are not currently developed and implemented to SGW satisfaction. The different category exemptions are discussed later in this report. Council is currently in discussion with SGW about the criteria required to satisfy the three other category exemptions.

Some recent referral responses from SGW have required Council to refuse dwelling applications on vacant Farming Zone lots in the Tarwin Catchment. This includes lots that otherwise fulfil the new dwelling requirements of the Rural Land Use Strategy. The only avenue for appeal available to the applicant is an application for review to VCAT. Given recent VCAT decisions it is unlikely that these appeals would be successful.

(Please refer to **Appendix 2** - 'Guidance Note For Determining Dwelling Density When Assessing Planning Permit Applications' - Victorian Water Industry Publication December 2012)

#### Potential Impacts on future development opportunities

It is estimated that there is currently 881 vacant lots less than 4.1 ha and a further 922 vacant lots between 4.1 and 40 ha affected by this planning control within the Tarwin Catchment.

The full extent of the future impacts of the 1:40 ha dwelling density guideline are not yet known. Calculating the impact is difficult as it is not known which current or future land owners intend on developing their land. Many lots are currently used for active agricultural purposes.

The requirement to assess the number of existing dwellings within a 1km radius further complicates the assessment of overall impacts. In many cases approval will be subject to property sizes and where future dwellings may be located.

It is anticipated that without the development of the required strategies to meet the category exemptions under the guidelines many planning permit applications will be refused that would be otherwise supported by the South Gippsland Shire Planning Scheme.

#### **Discussion**

##### What are the guidelines?

There are five guidelines to consider when assessing planning permit applications in open, potable water supply catchment areas. Guideline 1 is the most relevant to the discussions of this report.

##### Guideline 1 - Density of dwellings

Where a planning permit is required to use land for a dwelling or to subdivide land or where a planning permit to develop land is required pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective:

- the density of dwellings should be no greater than one dwelling per 40 hectares (1:40 ha); and

- each lot created in the subdivision should be at least 40 hectares in area.

What exemptions exist to guideline 1?

There are four categories of exemption to guideline 1.

Category 1

A planning permit is not required to use land for a dwelling, to subdivide land or to develop land pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective.

Category 1 Exemption Response

Currently there is no Environmental Significance Overlay (ESO2) covering the Tarwin Catchment in the South Gippsland Planning Scheme. The absence of this overlay means that current and prospective property owners may not be informed that a planning control exists over a property. Prospective property owners identify planning controls when requesting a section 32 vendor statement. A section 32 is a statement of matters affecting land being sold.

Whilst it is common practice for prospective buyers to purchase subject to a planning permit where 'as of right' does not exist, those that do not and perhaps rely upon Council's RLUS may be purchasing on the misinformation that no planning controls exist.

Discussions with South Gippsland Water (SGW) and other affected municipalities have commenced and a future Council report is being prepared to consider the introduction of an ESO2 which would cover the Tarwin Catchment. Whilst the introduction of an ESO2 is unlikely to resolve this issue, it will at least ensure that prospective land purchasers can make informed decisions.

Category 2

A permit is required to use land for a dwelling, to subdivide land or to develop land pursuant to a schedule to the Environmental Significance Overlay that has catchment and water quality protection as an objective but the proposed development will be connected to reticulated sewerage.

Category 2 Exemption Response

This exemption simply requires that a development is connected to reticulated sewer. However, this is not practicable for the majority of towns or development proposals within the Tarwin Catchment.

Category 3

A Catchment Policy has been prepared for the catchment and endorsed by the relevant water corporation following consultation with relevant local

governments, government agencies and affected persons. The proposed development must be consistent with the Catchment Policy.

#### Category 3 Exemption Response

There is currently no applicable catchment policy relevant to the Tarwin Catchment that can be used to consider exemption under category 3. Discussions have commenced with SGW to consider what is required within the policy for it to be endorsed by SGW. Depending on the required complexity, a catchment policy could cost up to \$100k to develop. A range of funding options are being investigated to reduce Council's costs associated with its development.

#### Category 4

The water corporation will consider allowing a higher density of development than would otherwise be permitted by Guideline 1 where:

All of the following conditions are met:

- the minimum lot size area specified in the zone for subdivision is met in respect of each lot;
- the water corporation is satisfied that the relevant Council has prepared, adopted and is implementing a Domestic Wastewater Management Plan (DWMP) in accordance with the DWMP Requirements; and
- the proposal does not present an unacceptable risk to the catchment having regard to:
  - the proximity and connectivity of the proposal site to a waterway or a potable water supply source (including reservoir);
  - the existing condition of the catchment and evidence of unacceptable water quality impacts
  - the quality of the soil;
  - the slope of the land;
  - the link between the proposal and the use of the land for a productive agricultural purpose;
  - the existing lot and dwelling pattern in the vicinity of site;
  - any site remediation and/or improvement works that form part of the application; and
  - the intensity or size of the development or use proposed and the amount of run-off that is likely to be generated.



#### Category 4 Exemption Response

Councils draft MDWMP has been prepared prior to the recent matters coming to light and cannot be used in its current form to justify a reduction in the development density requirements. Council is currently in discussion with SGW about what amendments are required for this plan to be completed to their satisfaction. It is clear that Council would have to fund a waste water compliance program that would ensure systems located within the catchment are operating in accordance with EPA guidelines and issued septic tank permit conditions. Implementing a compliance program within the Tarwin Catchment will be a considerable cost to Council. It is estimated that there are over 2000 waste water systems currently located within the catchment.

Whilst a MDWMP which incorporates a compliance program to SGW satisfaction is a viable option, a catchment policy is presently the most effective way to address the current uncertainties faced by Council regarding approval of new developments within the catchment.

#### **Options**

As discussed above, Council has four options to address the matters raised in the report. The options are to:

1. Accept that development will not exceed more than 8:314 ha within the Tarwin Catchment.
2. Develop a Catchment Policy to the satisfaction of SGW.
3. Develop a MDWMP, incorporating a waste water (septic tank) compliance program to the satisfaction of SGW.
4. Prepare a planning scheme amendment for the introduction of an ESO2 for the Tarwin Catchment which schedules out certain development proposals within the catchment.

Option 1 is not considered a satisfactory result considering the work and aims of Council's RLUS.

Option 2 is considered the most practicable method for identifying and encouraging development within areas of the Tarwin Catchment which does not present a risk to the potable water supply of Meeniyan and Dumbalk.

Option 3 is likely to be required to increase development in areas of higher risk identified in the development of a catchment policy.

The introduction of an ESO2 presented in option 4 should be considered a priority for Council. An ESO2 will ensure that prospective land buyers are aware of planning controls and can make informed decisions. It is unlikely that the development of a schedule to ESO2 will resolve Council's development concerns.

Reducing the geographic size or changing the boundaries of the Tarwin Catchment is not an option. SGW have informed Council that the boundary of the Tarwin Catchment is based on the watershed of the Tarwin River system and cannot be changed. SGW will not support a request by Council to modify the area of the declared Tarwin Catchment.

#### **FINANCIAL CONSIDERATIONS**

Enforcement of the 'planning permit applications in open potable water supply catchment areas' guidelines by SGW detrimentally affects the development potential of land within the Tarwin Catchment. To mitigate this risk Council must negotiate suitable exemptions to the guidelines listed above.

#### **RISK FACTORS**

The primary reason for recommending the introduction of an ESO2 into the Planning Scheme is the recognition that a substantial risk is presented to landowners, Council and SGW resulting from the absence of the overlay control from the Planning Scheme.

Council is the Planning Authority responsible under the Planning and Environment Act 1987 for the administration of the South Gippsland Planning Scheme. Failure to take appropriate action to inform landowners of the statutory requirements affecting land (by the application of appropriate overlay controls) may open Council to criticism that it has not fulfilled its role to responsibly administer the Planning Scheme.

#### **CONCLUSION**

Until the significant ('red dot') decision by VCAT in February 2012 and the subsequent review of the 'planning permit applications in open potable water supply catchment areas' guidelines in November 2012 application and interpretation of the guidelines has varied significantly between the States Water Authorities.

Following the review of the guidelines SGW has indicated that it will refuse all planning permit applications within the Tarwin Catchment that result in a dwelling density of greater than 1:40 ha until appropriate provision is made to address the relevant guideline exemptions.

Council must continue to work with SGW to identify and implement the required policy to ensure that development can occur within the Tarwin Catchment in accordance with Council's recently adopted RLUS.

The absence of the ESO2 from the Planning Scheme must be rectified as a matter of urgency. Until this is achieved land will continue to be sold and proposals developed without knowledge of the existence or implications of the Tarwin Catchment.

South Gippsland Shire Council  
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### **RECOMMENDATION**

That Council:

1. Continue to negotiate with SGW and agreed understanding of the necessary requirements for the development of a Catchment Strategy and Municipal Domestic Waste Water Management Plan (MDWMP) to satisfy category 3 and 4 exemptions of the planning permit applications in open potable water supply catchment areas guidelines.
2. Following negotiations with SGW, receive a report on the various options and costs associated with implementing the required controls required to satisfy category 3 and 4 guideline exemptions.
3. Receive a report to consider the impacts of undertaking a scheme amendment to introduce an ESO2 into the South Gippsland Planning scheme covering the Tarwin catchment.
4. Adopt the attached fact sheet on planning permit applications in open, potable water supply catchment areas as a method of informing current and future landowners on this issue.

### **STAFF DISCLOSURE OF INTEREST**

Nil

South Gippsland Shire Council  
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**MOVED: Cr Davies**

**SECONDED: Cr Brunt**

**THAT COUNCIL:**

- 1. CONTINUE TO NEGOTIATE WITH SOUTH GIPPSLAND WATER AN AGREED UNDERSTANDING OF THE NECESSARY REQUIREMENTS FOR THE DEVELOPMENT OF A CATCHMENT STRATEGY AND MUNICIPAL DOMESTIC WASTE WATER MANAGEMENT PLAN (MDWMP) TO SATISFY CATEGORY 3 AND 4 EXEMPTIONS OF THE PLANNING PERMIT APPLICATIONS IN OPEN POTABLE WATER SUPPLY CATCHMENT AREAS GUIDELINES.**
- 2. FOLLOWING NEGOTIATIONS WITH SGW, RECEIVE A REPORT ON THE VARIOUS OPTIONS AND COSTS ASSOCIATED WITH IMPLEMENTING THE REQUIRED CONTROLS REQUIRED TO SATISFY CATEGORY 3 AND 4 GUIDELINE EXEMPTIONS.**
- 3. RECEIVE A REPORT TO CONSIDER THE IMPACTS OF UNDERTAKING A SCHEME AMENDMENT TO INTRODUCE AN ESO2 INTO THE SOUTH GIPPSLAND PLANNING SCHEME COVERING THE TARWIN CATCHMENT.**
- 4. ADOPT THE ATTACHED FACT SHEET ON PLANNING PERMIT APPLICATIONS IN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS AS A METHOD OF INFORMING CURRENT AND FUTURE LANDOWNERS ON THIS ISSUE.**

**AMENDMENT**

**MOVED: Cr Hill**

**SECONDED: Cr McEwen**

**THAT COUNCIL:**

- 1. CONTINUE TO NEGOTIATE WITH SOUTH GIPPSLAND WATER AN AGREED UNDERSTANDING OF THE NECESSARY REQUIREMENTS FOR THE DEVELOPMENT OF A CATCHMENT STRATEGY AND MUNICIPAL DOMESTIC WASTE WATER MANAGEMENT PLAN (MDWMP) TO SATISFY CATEGORY 3 AND 4 EXEMPTIONS OF THE PLANNING PERMIT APPLICATIONS IN OPEN POTABLE WATER SUPPLY CATCHMENT AREAS GUIDELINES.**
- 2. FOLLOWING NEGOTIATIONS WITH SGW, RECEIVE A REPORT ON THE VARIOUS OPTIONS AND COSTS ASSOCIATED WITH IMPLEMENTING THE REQUIRED CONTROLS REQUIRED TO SATISFY CATEGORY 3 AND 4 GUIDELINE EXEMPTIONS.**
- 3. RECEIVE A REPORT TO CONSIDER THE IMPACTS OF UNDERTAKING A SCHEME AMENDMENT TO INTRODUCE AN ESO2 INTO THE SOUTH GIPPSLAND PLANNING SCHEME COVERING THE TARWIN CATCHMENT.**

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4. **ADOPT THE ATTACHED FACT SHEET ON PLANNING PERMIT APPLICATIONS IN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS AS A METHOD OF INFORMING CURRENT AND FUTURE LANDOWNERS ON THIS ISSUE.**
5. **INVESTIGATES WHETHER THOSE SUPPLIED BY WATER FROM THE POTABLE WATER SUPPLY AREA COULD BE SUPPLIED BY ANOTHER MEANS SUCH AS DIRECT CONNECTION TO MELBOURNE WATER SUPPLIES THEREBY REMOVING THE TARWIN CATCHMENT FROM THE POTABLE WATER SUPPLY AREA.**
6. **IDENTIFY OUTCOMES TO SOUTH GIPPSLAND DUE TO LOSS OF DEVELOPMENT ACTIVITY, EFFECT ON POPULATION GROWTH AND LOSS OF RATE INCOME (ASSUMING LOTS WOULD THEN BE RE-RATED).**
7. **IDENTIFY THE EARLIEST DATE THAT CAN BE FOUND TO REQUEST MEETINGS WITH THE FOLLOWING TO LOBBY FOR A WORKABLE SOLUTION TO THIS PROBLEM THAT WILL ALLOW USE AND DEVELOPMENT IN ACCORDANCE WITH OUR PLANNING SCHEME AND THAT ANY FUTURE RESTRICTION CAUSED BY POTABLE WATER SUPPLY BE BASED UPON SCIENTIFIC AND EVIDENCE BASED RESEARCH:**
  - a. **MINISTER FOR WATER, HON. PETER WALSH;**
  - b. **MEMBER FOR GIPPSLAND SOUTH, HON. PETER RYAN;**
  - c. **MINISTER FOR PLANNING THE HON. MATTHEW GUY;**
  - d. **BOARD OF SOUTH GIPPSLAND WATER;**
  - e. **MELBOURNE WATER**
8. **IDENTIFY THE ISSUE OF EXISTING RIGHTS USE CLAUSE IN THE PLANNING SCHEME AND THE IMPLICATION FOR DWELLING IN AN AREA OF GREATER THAN 8 DWELLINGS PER 40 HA AND THE INABILITY TO REBUILD IN THE EVENT OF DISASTER OR OTHERWISE OCCURRING TO THAT DWELLING.**

The Amendment was CARRIED and became the Motion before the Chair.

For: Crs McEwen, Hill, Newton, Hutchinson-Brooks and Kennedy.

Against: Crs Brunt, Davies and Harding.

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The Mayor agreed to separate the parts of the Motion.

MOVED: Cr Hill

SECONDED: Cr McEwen

THAT COUNCIL:

1. CONTINUE TO NEGOTIATE WITH SOUTH GIPPSLAND WATER AN AGREED UNDERSTANDING OF THE NECESSARY REQUIREMENTS FOR THE DEVELOPMENT OF A CATCHMENT STRATEGY AND MUNICIPAL DOMESTIC WASTE WATER MANAGEMENT PLAN (MDWMP) TO SATISFY CATEGORY 3 AND 4 EXEMPTIONS OF THE PLANNING PERMIT APPLICATIONS IN OPEN POTABLE WATER SUPPLY CATCHMENT AREAS GUIDELINES.
2. FOLLOWING NEGOTIATIONS WITH SGW, RECEIVE A REPORT ON THE VARIOUS OPTIONS AND COSTS ASSOCIATED WITH IMPLEMENTING THE REQUIRED CONTROLS REQUIRED TO SATISFY CATEGORY 3 AND 4 GUIDELINE EXEMPTIONS.
3. RECEIVE A REPORT TO CONSIDER THE IMPACTS OF UNDERTAKING A SCHEME AMENDMENT TO INTRODUCE AN ESO2 INTO THE SOUTH GIPPSLAND PLANNING SCHEME COVERING THE TARWIN CATCHMENT.
4. ADOPT THE ATTACHED FACT SHEET ON PLANNING PERMIT APPLICATIONS IN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS AS A METHOD OF INFORMING CURRENT AND FUTURE LANDOWNERS ON THIS ISSUE.

CARRIED UNANIMOUSLY

MOVED: Cr Hill

SECONDED: Cr McEwen

5. INVESTIGATE WHETHER THOSE SUPPLIED BY WATER FROM THE POTABLE WATER SUPPLY AREA COULD BE SUPPLIED BY ANOTHER MEANS SUCH AS DIRECT CONNECTION TO MELBOURNE WATER SUPPLIES THEREBY REMOVING THE TARWIN CATCHMENT FROM THE POTABLE WATER SUPPLY AREA.

CARRIED

For: Crs McEwen, Newton, Harding, Newton and Hutchinson-Brooks.

Against: Crs Brunt, Davies and Kennedy.

South Gippsland Shire Council  
Minutes

22 May 2013  
Council Chambers, Leongatha

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**MOVED: Cr McEwen**

**SECONDED: Cr Hill**

- 6. IDENTIFY OUTCOMES TO SOUTH GIPPSLAND DUE TO LOSS OF DEVELOPMENT ACTIVITY, EFFECT ON POPULATION GROWTH AND LOSS OF RATE INCOME (ASSUMING LOTS WOULD THEN BE RE-RATED).**

Cr Davies left the Meeting at 4.09pm.

**CARRIED**

**For: Crs McEwen, Newton, Kennedy, Hutchinson-Brooks, Hill and Brunt.**

**Against: Cr Harding**

**MOVED: Cr Hill**

**SECONDED: Cr McEwen**

- 7. IDENTIFY THE EARLIEST DATE THAT CAN BE FOUND TO REQUEST MEETINGS WITH THE FOLLOWING TO LOBBY FOR A WORKABLE SOLUTION TO THIS PROBLEM THAT WILL ALLOW USE AND DEVELOPMENT IN ACCORDANCE WITH OUR PLANNING SCHEME AND THAT ANY FUTURE RESTRICTION CAUSED BY POTABLE WATER SUPPLY BE BASED UPON SCIENTIFIC AND EVIDENCE BASED RESEARCH:**

- a. **MINISTER FOR WATER, HON. PETER WALSH;**
- b. **MEMBER FOR GIPPSLAND SOUTH, HON. PETER RYAN;**
- c. **MINISTER FOR PLANNING THE HON. MATTHEW GUY;**
- d. **BOARD OF SOUTH GIPPSLAND WATER;**
- e. **MELBOURNE WATER**

Cr Davies returned to the Meeting at 4.14pm.

**UNANIMOUSLY LOST**

South Gippsland Shire Council  
Minutes

22 May 2013  
Council Chambers, Leongatha

---

**MOVED: Cr Hill**

**SECONDED: Cr McEwen**

- 8. IDENTIFY THE ISSUE OF EXISTING RIGHTS USE CLAUSE IN THE PLANNING SCHEME AND THE IMPLICATION FOR DWELLING IN AN AREA OF GREATER THAN 8 DWELLINGS PER 40 HA AND THE INABILITY TO REBUILD IN THE EVENT OF DISASTER OR OTHERWISE OCCURRING TO THAT DWELLING.**

**CARRIED**

**For: Crs McEwen, Newton, Kennedy, Hutchinson-Brooks and Hill.**

**Against: Crs Brunt, Davies and Harding.**

**MOVED: Cr McEwen**

**SECONDED: Cr Hill**

**THAT COUNCIL IDENTIFY THE EARLIEST DATE THAT CAN BE FOUND WHEN REPORTS ARE AVAILABLE FROM SHIRE OFFICERS TO REQUEST MEETINGS WITH THE FOLLOWING TO LOBBY FOR A WORKABLE SOLUTION TO THIS PROBLEM THAT WILL ALLOW USE AND DEVELOPMENT IN ACCORDANCE WITH OUR PLANNING SCHEME AND THAT ANY FUTURE RESTRICTION CAUSED BY POTABLE WATER SUPPLY BE BASED UPON SCIENTIFIC AND EVIDENCE BASED RESEARCH:**

- a. MINISTER FOR WATER, HON. PETER WALSH;**
- b. MEMBER FOR GIPPSLAND SOUTH, HON. PETER RYAN;**
- c. MINISTER FOR PLANNING THE HON. MATTHEW GUY;**
- d. BOARD OF SOUTH GIPPSLAND WATER;**
- e. MELBOURNE WATER**

**CARRIED**

**For: Crs McEwen, Newton, Kennedy, Hill and Hutchinson-Brooks.**

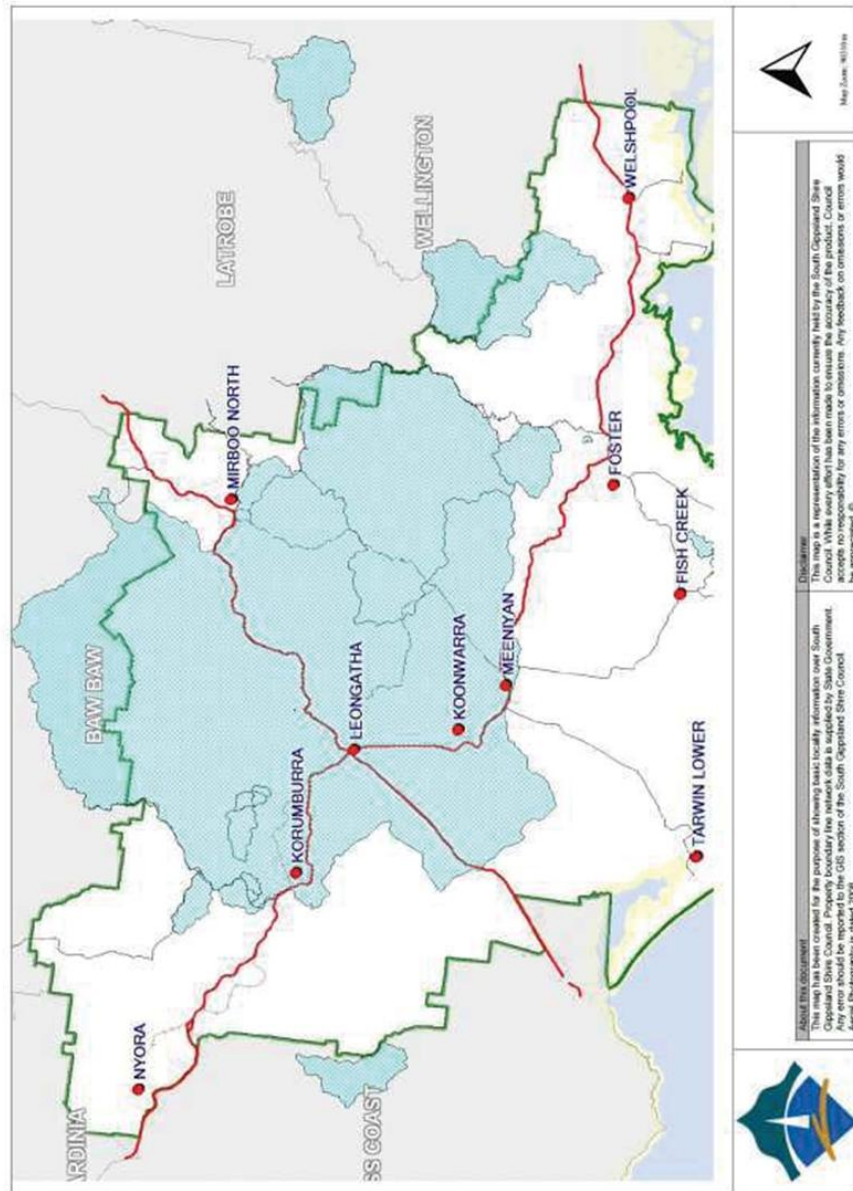
**Against: Crs Harding, Davies and Brunt.**



South Gippsland Shire Council  
Minutes

22 May 2013  
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**Attachment 1**  
**Tarwin River Water Supply Catchment Proclaimed Area**



South Gippsland Shire Council  
Minutes

22 May 2013  
Council Chambers, Leongatha

**Attachment 2**  
**SGSC Fact Sheet on Planning Permit Applications in Open Potable Water Supply Catchments**



*Come for the beauty... Stay for the lifestyle*

## Planning Permits & Potable Water Supply Catchments

**L**ooking to use or develop land within an open potable\* water supply catchment area?

If your property is within one of these areas, then new guidelines may affect you!

(\*drinkable)

### BACKGROUND

A potable water supply catchment provides water resources to a reservoir (or water storage) used for domestic water supply purposes. An 'open', potable water supply catchment is a catchment where all or part of it is in private ownership and access to the catchment is unrestricted.

Open, potable water supply catchments are declared to be special water supply catchments under the *Catchment and Land Protection Act 1994*. There are currently nine such catchments (in full or in part) in South Gippsland Shire. Most of these are covered by a specific overlay within the Planning Scheme, known as the ESO2 (Environmental Significance Overlay – Schedule 2).

However, the Tarwin River (Meeniyah) Water Supply Catchment, which has an area of approximately 1053 km<sup>2</sup>, is the largest in the Shire and is not currently covered by such an Overlay.

The State Government has developed guidelines to protect the quality of potable water supplies, using a risk based approach. One of the mechanisms used to protect the quality of water in these catchments is to control the density of dwellings and their on-site waste water (effluent) systems.

Council and the relevant water authority must consider these new guidelines, *Planning permit applications in open, potable water supply catchment areas* (DSE, November 2012) when assessing Planning Permit applications for:

- using land for a dwelling,
- subdividing land, or
- situations where a planning permit to develop land is required due to the Environmental Significance Overlay.



### DWELLING DENSITY

Guideline 1 refers to the density of dwellings and it requires dwelling density to be no greater than one dwelling per 40 hectares (1.40 ha) within the catchment.

The Victorian Civil and Administrative Tribunal (VCAT) and the Victorian Supreme Court have both stated that when considering applications in open, potable water supply Catchment areas, risk to human health is highly relevant, and, because of its serious nature, must be given priority over other planning objectives.

There are currently four categories of exemptions from Guideline 1, although these are not currently available in this Shire for the Tarwin River (Meeniyah) Catchment.

The Victorian Water Association (VicWater) has also released a guideline (February 2013) which assists in calculating dwelling density using a 1km radius method. This method has been generally acknowledged by VCAT and adopted by some water authorities.

### PTO for frequently asked questions

9 Smith St., Leongatha 3953 ( Private Bag 4) Ph: 5662 9200 Fax: 5662 3754  
 council@southgippsland.vic.gov.au www.southgippsland.vic.gov.au

Last updated 22/05/2013



**AGENDA APPENDIX**  
**Council Meeting**  
**Wednesday 22 May 2013**

AGENDA ITEM FOR SEPARATE DISTRIBUTION TO COUNCILLORS AND EXECUTIVE LEADERSHIP TEAM DUE TO DOCUMENT SIZE.

THE ITEM IS ACCESSIBLE VIA THE COUNCIL WEBSITE OR BY CONTACTING COUNCIL ON 03 5662 9200.

**E.5 PLANNING PERMITS APPLICATIONS WITHIN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS**

Appendix 1 - 'Planning permit applications in open, potable water supply catchment areas' - DSE publication November 2012.

# Planning permit applications in open, potable water supply catchment areas

November 2012

Department of  
Sustainability and Environment



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Published by the Victorian Government  
Department of Sustainability and Environment Melbourne  
November 2012

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## Planning permit applications in open, potable water supply catchment areas

As Minister administering the *Water Act 1989*, I issue the following Guidelines to assist water corporations and other referral and responsible authorities in their assessment of planning permit applications for use and development of land within all open, potable water supply catchments in Victoria. These Guidelines have been adopted for the purposes of s.60(1A)(g) of the *Planning and Environment Act 1987*.



**Peter Walsh MLA**

**Minister for Water**

### **Purpose of the Guidelines**

The purpose of the Guidelines is to protect the quality of potable water supplies, using a risk based approach, whilst facilitating appropriate development within these catchments.

### **Where do these guidelines apply?**

These guidelines apply to all open potable water supply catchments declared to be special water supply catchment areas under Division 2 of Part 4 of the *Catchment and Land Protection Act 1994*. Schedule 5 of the Act lists the special water supply catchment areas declared as at 1994. To find out all current declarations and which special water supply catchment areas are open potable water supply catchments and their location, contact the relevant local water corporation.

### **What is an open, potable water supply catchment?**

A potable water supply catchment provides water resources to a reservoir (or water storage) used for domestic water supply purposes<sup>1</sup>. There are two types of potable water supply catchments. An 'open' catchment is where part or all of the catchment area is in private ownership and access to the catchment is unrestricted. A 'closed' catchment means that the whole of the catchment area is publicly owned and public access is prohibited.

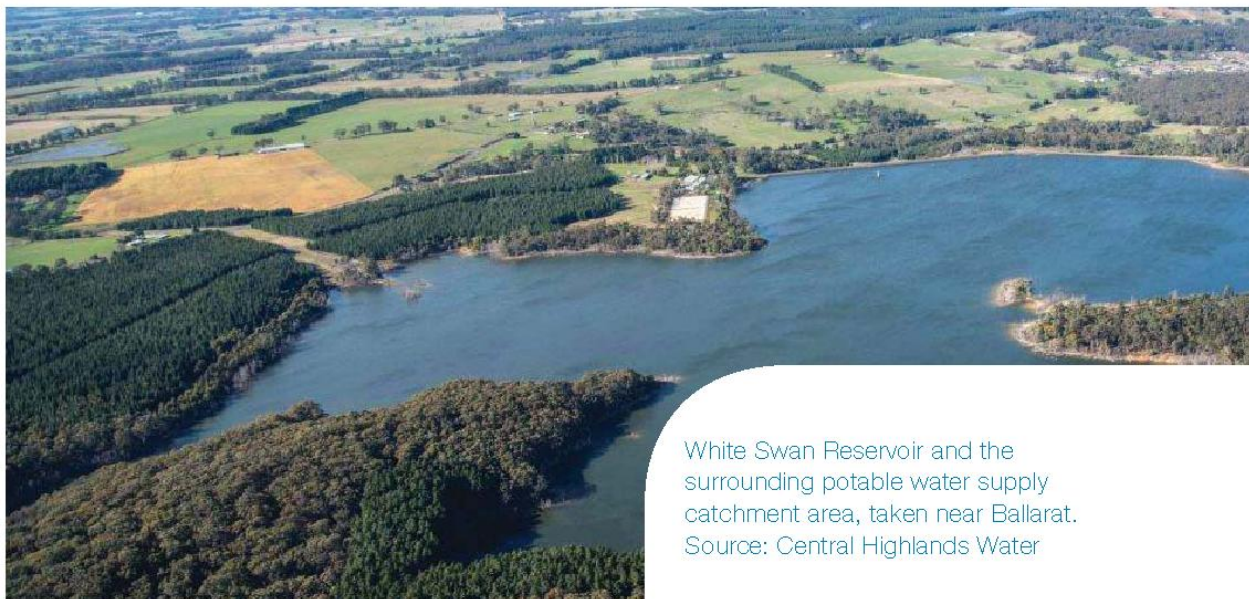
Water corporations may influence development and land use through the strategic and statutory planning process, as they do not have direct control over land in open, potable water supply catchments. However, because of the risks to public health, all use and development should be sited and managed to protect the quality of water collected from the catchment.

Most water supply catchment areas have a long history of regulation aimed to protect public health by maintaining acceptable levels of water quality flowing into, and stored in, the water storage. This has protected communities from waterborne diseases and the need for excessive chemical treatment.

All land users within catchments need to be aware of the potential effect of their activities on water quality. Residential development and agriculture particularly have the potential to impact adversely on water quality through the discharge of contaminated run-off and wastes, nutrient contributions or sediment to waterways. These key sources of pollutants present different levels of risk to catchments and are the focus of these guidelines.

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<sup>1</sup> The catchment and/or reservoir or water storage may also be used for irrigation purposes.



White Swan Reservoir and the surrounding potable water supply catchment area, taken near Ballarat.  
Source: Central Highlands Water

**What State planning and environmental policy applies to open, potable water supply catchment areas?**

The importance of water quality and water catchments is specifically addressed in Clause 14.02 in the State Planning Policy Framework in all planning schemes. In this clause it is State planning policy to:

- Protect reservoirs, water mains and local storage facilities from potential contamination.
- Ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, streams, wetlands, estuaries and marine environments.
- Discourage incompatible land use activities in areas subject to flooding, severe soil degradation, groundwater salinity or geotechnical hazards where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

Clause 19.03 of the State Planning Policy Framework adopts the strategy:

- Ensure water quality in water supply catchments is protected from possible contamination by urban, industrial and agricultural land uses.

Section 53M of the *Environment Protection Act 1970* provides that a municipal council must refuse a permit if a proposed onsite waste water/septic tank system is contrary to any State environment protection policy or waste management policy. The State Environment Protection Policy (Waters of Victoria) (**SEPP**) adopts the precautionary principle as a principle that should guide decisions about the protection and management of Victoria's surface waters when considering a permit for a septic tank system. Clause 32 of the SEPP specifies EPA's expectations in relation to on-site domestic wastewater management, and the EPA provides further guidance in relation to onsite treatment systems (EPA Publication 891, Code of Practice – Onsite Waste Water Management, as updated or replaced).

The proper application of the precautionary principle requires consideration of the cumulative risk of the adverse impact of onsite waste water/ septic tank systems on water quality, in open potable water supply catchments, resulting from increased dwelling density.

The importance of water catchments is also reflected in the special area plans prepared by Catchment Management Authorities, under Division 2 of Part 4 of the *Catchment and Land Protection Act 1994*. These plans assess the land and water resources of catchments in a region and identify objectives and strategies for improving the quality of those resources; they are also able to direct land use activities in a catchment. It is State Planning Policy (Clause 14.02-1) that planning authorities must have regard to relevant aspects of:

- any regional catchment strategies approved under the *Catchment and Land Protection Act 1994* and any associated implementation plan or strategy, including any regional river health and wetland strategies;
- any special area plans prepared under the *Heritage Rivers Act 1992* and approved under the *Catchment and Land Protection Act 1994*; and
- these Guidelines.

For information about any special area or catchment management plans that have been prepared for catchments in your region, contact the regional office of the relevant catchment management authority.

Water corporations, in consultation with other stakeholders, may also prepare a water Catchment Policy, water catchment risk assessment or similar project to address land use planning issues and the cumulative impact of onsite waste water/septic tank systems in a catchment area (Catchment Policy).

These policies can assist in:

- guiding appropriate land use and development within a catchment area, including the location of and conditions on particular land use and development; and
- Determining the areas where Domestic Wastewater Management of existing systems requires additional focus due to the existence of onsite wastewater systems.

Through strategic land use planning and with reference to special area plans and Catchment Policies, areas and causes of greatest risk can be identified and risk based management responses determined.

## The guidelines

Each of these guidelines must be addressed where a planning permit is required to use land for a dwelling or to subdivide land.

### Guideline 1: Density of dwellings

Where a planning permit is required to use land for a dwelling or to subdivide land or where a planning permit to develop land is required pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective:

- the density of dwellings should be no greater than one dwelling per 40 hectares (1:40 ha); and
- each lot created in the subdivision should be at least 40 hectares in area.

This does not apply where:

#### Category 1

A planning permit is not required to use land for a dwelling, to subdivide land or to develop land pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective.

#### Category 2

A permit is required to use land for a dwelling, to subdivide land or to develop land pursuant to a schedule to the Environmental Significance Overlay that has catchment and water quality protection as an objective but the proposed development will be connected to reticulated sewerage.

#### Category 3

A Catchment Policy has been prepared for the catchment and endorsed by the relevant water corporation following consultation with relevant local governments, government agencies and affected persons. The proposed development must be consistent with the Catchment Policy. Or,

*The water corporation will consider allowing a higher density of development than would otherwise be permitted by Guideline 1 where:*

#### Category 4

All of the following conditions are met:

- the minimum lot size area specified in the zone for subdivision is met in respect of each lot;
- the water corporation is satisfied that the relevant Council has prepared, adopted and is implementing a Domestic Wastewater Management Plan (DWMP) in accordance with the DWMP Requirements; and
- the proposal does not present an unacceptable risk to the catchment having regard to:
  - » the proximity and connectivity of the proposal site to a waterway or a potable water supply source (including reservoir);
  - » the existing condition of the catchment and evidence of unacceptable water quality impacts
  - » the quality of the soil;
  - » the slope of the land;
  - » the link between the proposal and the use of the land for a productive agricultural purpose;
  - » the existing lot and dwelling pattern in the vicinity of site;
  - » any site remediation and/or improvement works that form part of the application; and
  - » the intensity or size of the development or use proposed and the amount of run-off that is likely to be generated.

Note: this requires analysis in addition to a land capability assessment required pursuant to Guideline 2.



## Domestic Wastewater Management Plan Requirements

A DWMP will be considered an acceptable basis for a relaxation of Guideline 1 (as set out above) where the following requirements in relation to the DWMP are satisfied.

These requirements incorporate and build upon (but do not displace) Council responsibilities for developing DWMPs as set out in clause 32(2)(e) of the SEPP.

The DWMP must be prepared or reviewed in consultation with all relevant stakeholders including:

- other local governments with which catchment/s are shared;
- EPA; and
- local water corporation/s.

The DWMP must comprise a strategy, including timelines and priorities, to:

- prevent discharge of wastewater beyond property boundaries; and
- prevent individual and cumulative impacts on groundwater and surface water beneficial uses.

The DWMP must provide for:

- the effective monitoring of the condition and management of onsite treatment systems, including but not limited to compliance by permit holders with permit conditions and the Code;
- the results of monitoring being provided to stakeholders as agreed by the relevant stakeholders;
- enforcement action where non-compliance is identified;
- a process of review and updating (if necessary) of the DWMP every 5 years;
- independent audit by an accredited auditor (water corporation approved) of implementation of the DWMP, including of monitoring and enforcement, every 3 years;
- the results of audit being provided to stakeholders as soon as possible after the relevant assessment; and
- councils are required to demonstrate that suitable resourcing for implementation, including monitoring, enforcement, review and audit, is in place.

### Guideline 2: Effluent disposal and septic tank system maintenance

The *Environment Protection Act 1970*, the SEPP, EPA Publication 891, *Code of Practice – Onsite Waste Water Management* (as updated or replaced), and other EPA publications and Australian standards regulate and guide the accreditation, installation and management of onsite treatment systems for the collection, treatment and disposal or reuse of wastewater.

Any application for a planning permit must demonstrate that a proposed use, development or subdivision of land to which these Guidelines apply will comply with all applicable laws and guidelines, including the need to obtain a Council permit under the *Environment Protection Act 1970* for the installation of an onsite wastewater management system and associated systems.

### Guideline 3: Vegetated corridors and buffer zones along waterways

Planning and responsible authorities should encourage the retention of natural drainage corridors with vegetated buffer zones at least 30 metres wide along waterways. This will maintain the natural drainage function, minimise erosion of stream banks and verges and reduce polluted surface run-off from adjacent land uses.

### Guideline 4: Buildings and works

Buildings and works (including such things as land forming and levee bank construction) should not be permitted to be located on effluent disposal areas, to retain full soil absorption and evaporation capabilities, and should be setback at least 30 metres from waterways to minimise erosion and sediment, nutrient and salinity-related impacts.

Appropriate measures should be used to restrict sediment discharges from construction sites in accordance with *Construction Techniques for Sediment Pollution Control*, Environment Protection Authority, 1991 and *Environmental Guidelines for Major Construction Sites*, Environment Protection Authority, 1995.

### Guideline 5: Agricultural activities

To prevent the pollution of waterways and damage to streamside vegetation (which contributes to bed and bank stability and filters overland flows entering the stream), stock access to waterways should be minimised.

Stocking rates should take into account the capabilities of the land to sustain grazing and the potential impact of overstocking on the catchment.

Reductions in agricultural and veterinary chemicals run-off should be encouraged by improved management of rates and frequencies of application.

The inappropriate disposal of fuel and fuel containers, the disposal of dead animals, the treatment and disposal of effluent from intensive agricultural industries, and the delivery and storage of chemicals are some of the other agricultural activities which can pose a risk to water quality. Intensive animal industry is a scheduled (regulated) activity under the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007.

If a property owner proposes to build a farm dam for commercial or irrigation purposes in an open, potable water catchment, an application for a licence must be made under Section 51 of the *Water Act 1989*. The application for a licence must be made to the relevant Rural Water Corporation.

Kind of application	Referral authority
<p>To use or develop land for a cattle feedlot.</p>	<p>Minister for Agriculture.</p> <p>If the site is located within a special water supply catchment area under the <i>Catchment and Land Protection Act 1994</i>, the relevant water corporation under the <i>Water Act 1989</i> and the Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>.</p> <p>If the number of cattle is 5,000 or more, the Environment Protection Authority.</p>
<p>To use, subdivide or consolidate land, to construct a building or to construct or carry out works, or to demolish a buildings or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <i>Catchment and Land Protection Act 1994</i> and which provides water to a domestic water supply.</p> <p>This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.</p>	<p>The relevant water board or water supply Authority (referred to as "water corporation" throughout these Guidelines).</p>
<p>To use or develop land for extractive industry in Special Areas declared under s.27 of the <i>Catchment and Land Protection Act 1994</i>.</p>	<p>Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>.</p>

Other provisions of the planning scheme may also require referrals for other reasons.

For more information call the  
Customer Service Centre **136 186**



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**AGENDA APPENDIX**  
**Council Meeting**  
**Wednesday 22 May 2013**

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**E.5 PLANNING PERMITS APPLICATIONS WITHIN OPEN, POTABLE WATER SUPPLY CATCHMENT AREAS**

Appendix 2 - 'Guidance note for determining dwelling density when assessing planning permit applications' - Victorian Water Industry publication December 2012.

VICTORIAN WATER INDUSTRY

## Guidance Note for Determining Dwelling Density when Assessing Planning Permit Applications



DECEMBER 2012  
Developed by the VicWater Open  
Potable Water Supply Catchment  
Management Working Group





|| **ViewWater Guidance Note** | Determining Dwelling Density when Assessing Planning Permit Applications

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Objectives	2
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Application of this guidance note	4
Associated documents	9

## Purpose

To support landowners, water corporations, planning and referral authorities and other interested stakeholders in the consistent interpretation of the default density requirements in the *Guidelines for Planning Permit Applications in Open Potable Water Supply Catchment Areas*.

## Objectives

- To enable sustainable development whilst protecting the quality of water supplies.
- To achieve a consistent method across Victoria for calculating default dwelling density when assessing planning permit applications within open, potable water supply catchments.
- To provide clear guidance to landowners interested in developing their land within catchments.







The *Guidelines for Planning Permit Applications in Open Potable Water Supply Catchment Areas* (the Guidelines) released by the Minister for Water in November 2012 specify that:

- where a planning permit is required to use land for a dwelling or to subdivide land; or
- where a planning permit to develop land is required pursuant to a schedule to the Environmental Significance Overlay that has catchment or water quality protection as an objective;

that the default position should be:

- the density of unsewered dwellings should be no greater than one unsewered dwelling per 40 hectares (1:40 ha); and
- each lot created in a subdivision should be at least 40 hectares in area.

As provided for in the Guidelines the density requirement does not apply if:

- a planning permit is not required for the proposed development;
- the dwelling is or will be connected to reticulated sewerage;
- the development is consistent with an endorsed catchment policy; or
- the council has prepared, adopted and is implementing a Domestic Wastewater Management Plan to the satisfaction of the water corporation, and
- the proposal does not represent an unacceptable risk to water quality.

A water corporation will consider allowing a higher density of development when certain conditions are met. The conditions are detailed in the Guidelines (Guideline 1, categories 1 - 4). It is recommended that the Guidelines be reviewed prior to considering application of this density calculation guidance note.

The Victorian water industry supports the adoption of a consistent calculation method for determining the density of dwellings in catchment areas. This ensures that clear and consistent guidance is provided to landowners, interested in developing their land, planning referral authorities and other interested stakeholders.

This guidance note outlines a calculation method which should be used by water corporations when assessing planning permit referrals for dwelling density in a particular area. It also identifies several other issues that should be taken into consideration during the assessment.

Whilst there are a number of ways to calculate dwelling density, to achieve a consistent method across Victoria, the 1km radial method is preferred and this approach has been validated in VCAT hearings as an appropriate methodology.

It is also recognised that there may be circumstances when other methods are suitable such as the "average density" or "polygon density" methods. Where other methods are used it is recommended that the reasons for using these methods are recorded with the permit assessment.



## Definitions and abbreviations

Within this document, the following terms have the meanings given:

Term	Meaning
<b>Special Water Supply Catchment Areas</b>	Specified under Schedule 5 - Special Water Supply Catchment Areas of the Catchment and Land Protection Act 1994
<b>Dwelling</b>	As per the Victorian Planning Scheme (Clause 74, Land Use Terms): A building used as a self-contained residence which must include: a sink; food preparation facilities; a bath or shower; and a closet pan and wash basin. It includes outbuildings and works normal to a dwelling. Includes Bed & Breakfast and caretaker's house

## Application of this guidance note

Water corporations should consider the following when calculating dwelling density:

- Unsewered dwelling density is calculated by counting the number of unsewered dwellings within a one-kilometre radius (314 ha) of the site of the proposed dwelling.
- The density applies to unsewered developments.
- Public land should be included when calculating dwelling density unless there are catchment specific requirements relating to the land's vulnerability which present circumstances where it may be appropriate to exclude the public land (such circumstances may include severe slopes, groundwater recharge areas etc.).
- Areas of land and dwellings that are not within the same catchment as the proposed development should not be included when calculating dwelling density.
- Areas of land within the full supply level of a reservoir should not be included when calculating the dwelling density as this land will not be developed.
- Other point sources of wastewater discharge within the one-kilometre radius of the site of the proposed dwelling should also be considered when assessing the application as it increases the cumulative impact of development.

### Calculation method

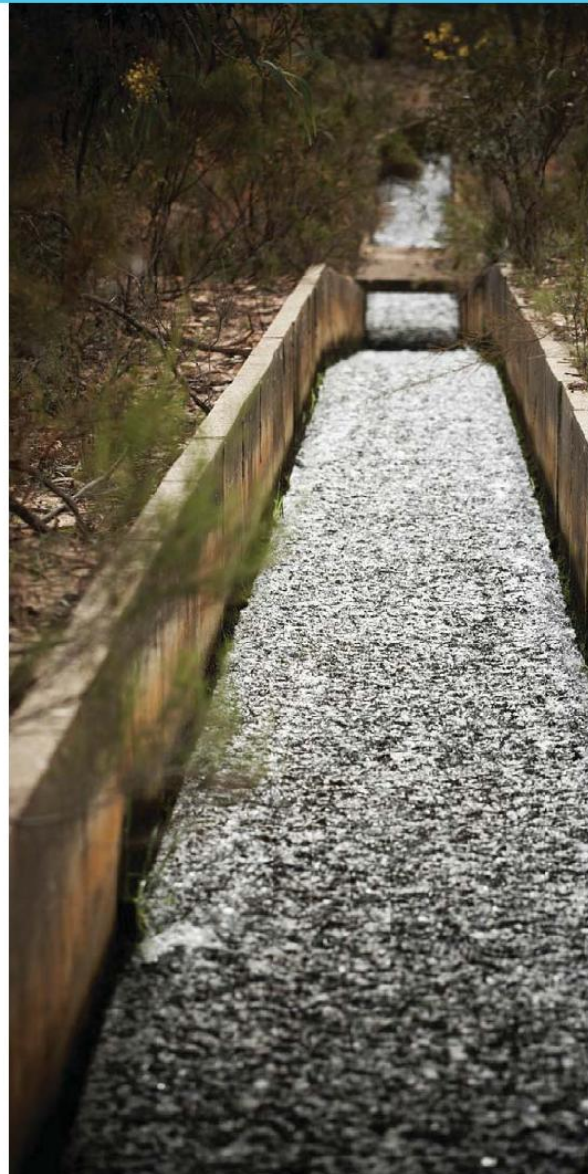
1. Apply a one kilometre radius around the proposed development site. This results in an area of 314 ha.
2. Count the number of existing dwellings within the one kilometre radius
3. If there is public land within a one kilometre radius of the proposed site and there are catchment specific requirements relating to the land's vulnerability it may be appropriate to exclude the area of public land from the equation (such circumstances may include severe slopes, groundwater recharge areas etc.)
4. Divide the area (314 ha) by the number of existing dwellings

To calculate an acceptable dwelling density in an area of 314 ha:

1: 40 ha =  $314 / 40$  which equals 7.85.

Rounded up there should be no more than 8 unsewered dwellings within a 1 km radius from the proposed development. Any less than 8 and the site density is less than 1:40 ha. In all cases, other matters will still need to be considered regarding the appropriateness of the application.

The examples on pages 5 - 7 illustrate straightforward dwelling density calculations.





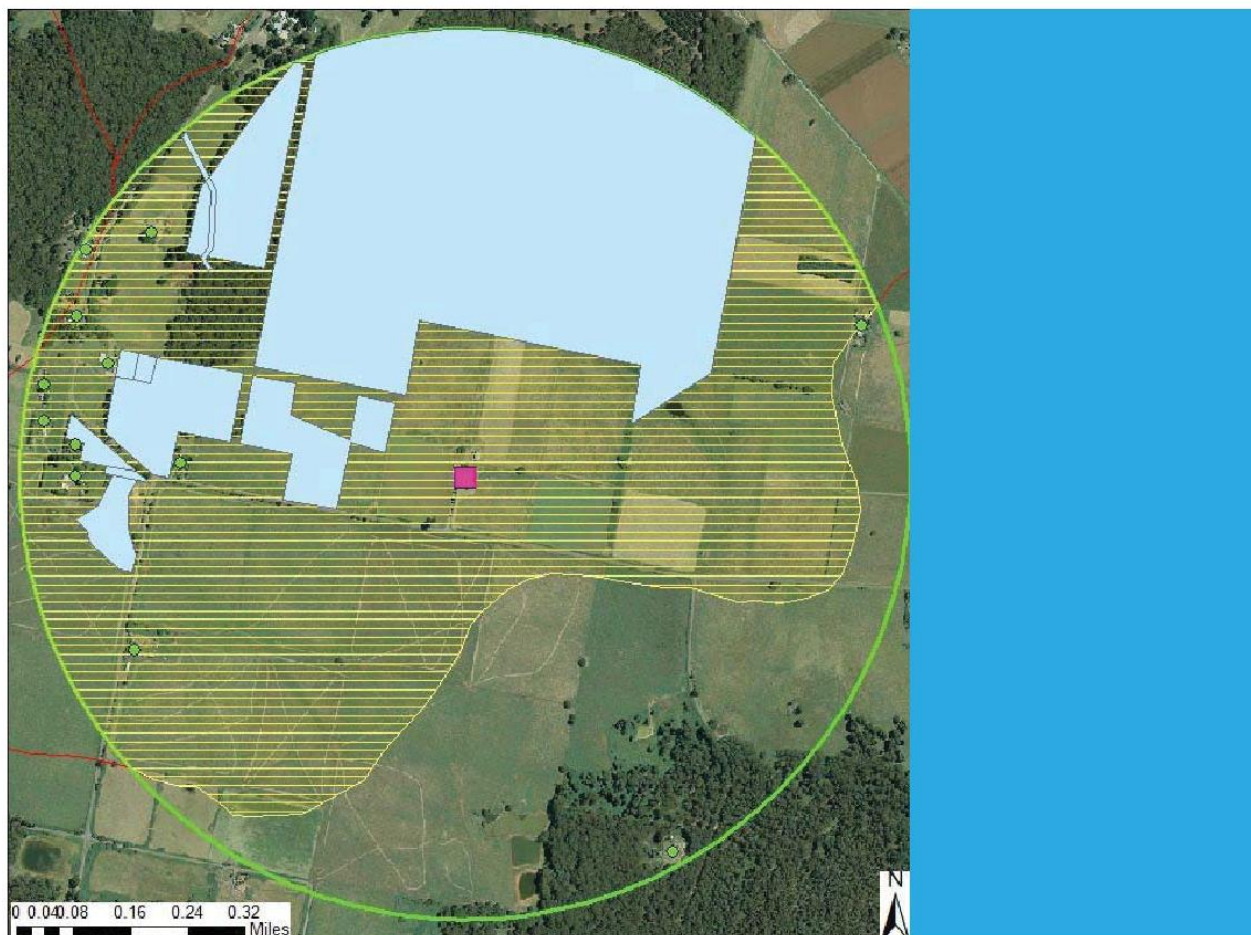
### Example 1

- Subject site
- Existing dwellings with onsite wastewater systems
- 1 km radius circle around the subject site (314 ha)

#### Calculation:

1. Apply a one kilometre radius around the proposed development site.
2. Count the number of existing dwellings within the one kilometre radius = **19 dwellings**.
3. Divide the area (314 ha) by the number of dwellings ( $314 / 19$ ) = **16.5, resulting in a density of 1:16.5**

The density of dwellings in the one-kilometre radius surrounding the subject site is greater than the 1:40ha default density. Therefore the water corporation considering the application would need to consider the application against the categories outlined in the *Guidelines for Planning Permit Applications in Open Potable Water Supply Catchment Areas*.



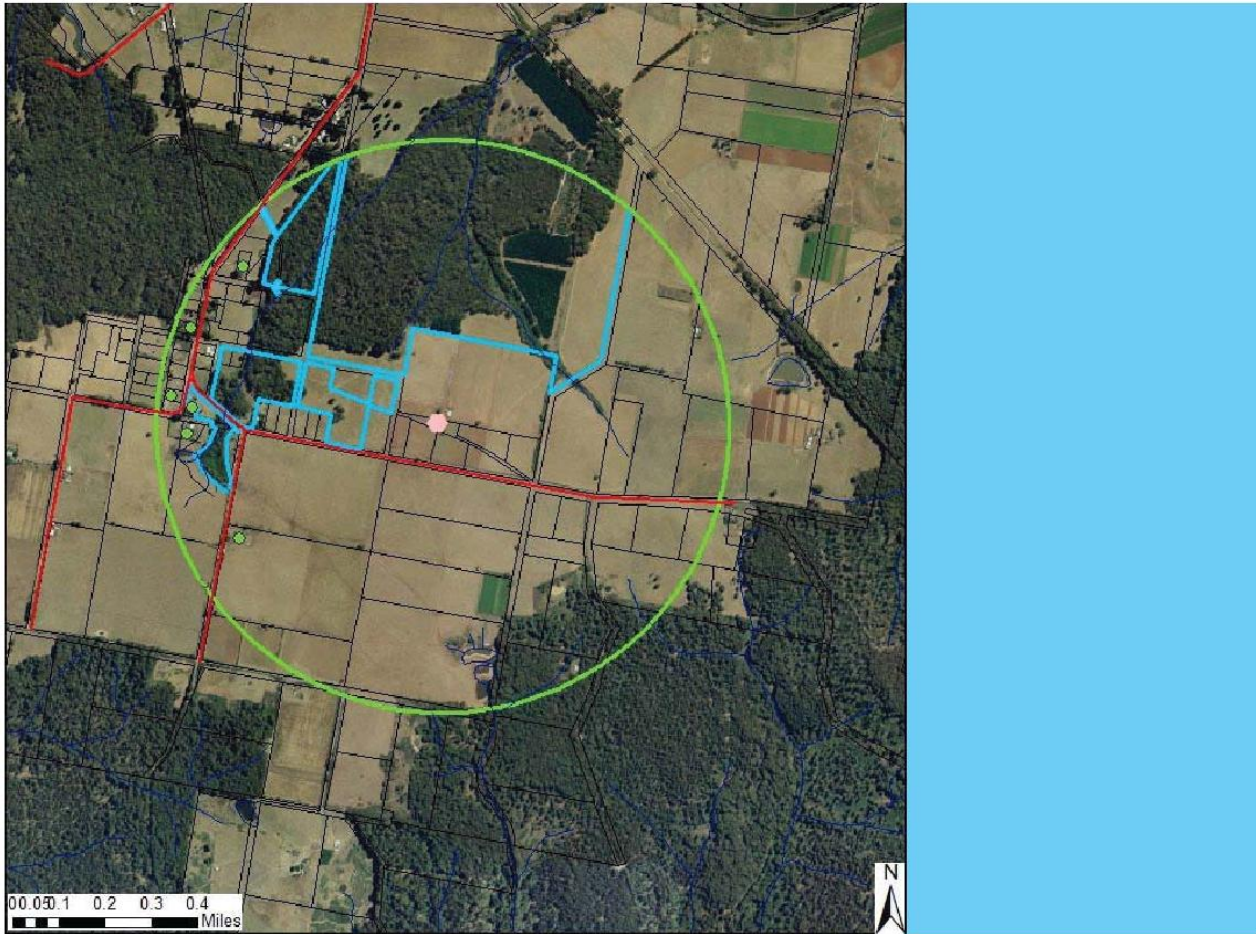
### Example 2

- Subject site
- Public land with vulnerabilities.
- Catchment.
- Existing dwellings with onsite wastewater systems.
- 1 km radius circle around the subject site

#### Calculation:

1. Apply a one kilometre radius around the proposed development site.
2. Count the number of existing dwellings within the one kilometre radius = **11 dwellings**.  
NB: The dwelling sitting outside of the shaded yellow area is not included in the calculation as it is in a different catchment.
3. The public land (189ha), in this example, has particular sensitivities which present circumstances where it is appropriate to exclude it from the equation.  
Total area of land involved in this density calculation is **314 ha - 189 ha (public land) - 77 ha (area of land outside the shaded yellow area) = 48 ha**
4. Divide the remaining area (48 ha) by the number of dwellings (48/11) = **4.36, resulting in a density of 1:4.36 ha**

The density of dwellings in the one-kilometre radius surrounding the subject site is greater than the 1:40ha default density and the water corporation would therefore need to consider the categories outlined in the *Guidelines for Planning Permit Applications in Open Potable Water Supply Catchment Areas*.



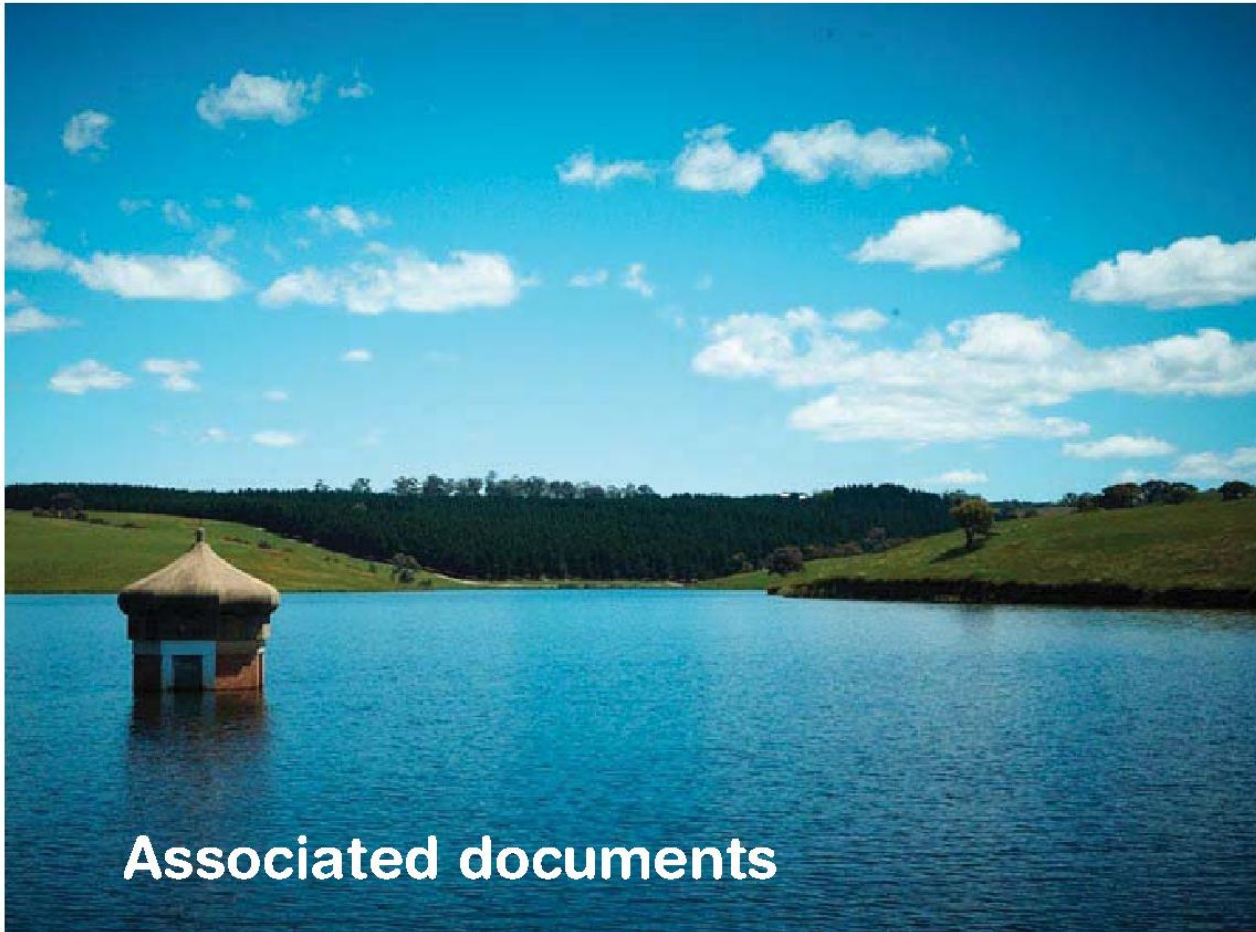
### Example 3

- Subject site
- Existing dwellings with onsite wastewater systems
- 1 km radius circle around the subject site

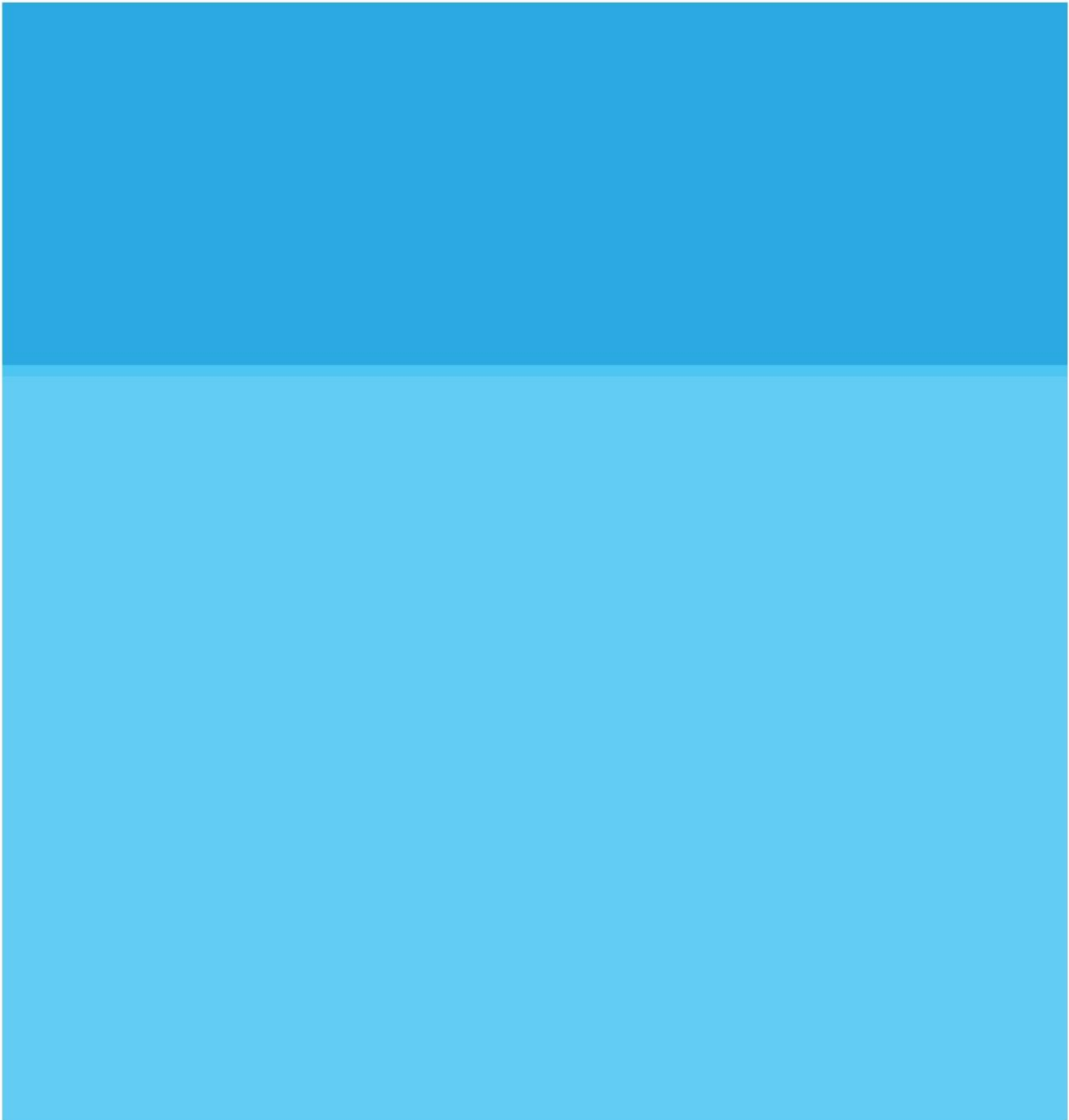
#### Calculation:

- Apply a one kilometre radius around the proposed development site.
- Count the number of existing dwellings within the one kilometre radius = **6 dwellings**.
- Divide the area (314 ha) by the number of dwellings (314 / 6) = **52.3, resulting in a density of 1:52.3**

In this example, the density of dwellings in the one-kilometre radius surrounding the subject site is less than the 1:40ha default density. Whilst there may be site specific issues that need further consideration the development meets Guideline 1 in the Guidelines for Planning Permit Applications in Open Potable Water Supply Catchment Areas.



- Minister for Water *Guidelines for Planning Permit Applications in Open Potable Water Supply Catchment Areas* November 2012 (Department of Sustainability and Environment)
- Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (EPA, publication 891).
- Australian Standards:
  - AS/NZS 1547:2012, On-site domestic wastewater management:
  - AS/NZS 1546.1:2008, On-site domestic wastewater treatment units – Septic tanks;
  - AS/NZS 1546.2:2008, On-site domestic wastewater treatment units – Waterless composting toilets;
  - AS/NZS 1546.3:2008, On-site domestic wastewater treatment units - Aerated wastewater treatment systems.
- Victorian River Health Strategy (2002) (or as amended)
- State environment protection policy (*Waters of Victoria*) (No. S107, Gazette 4/6/2003 or as varied)
- State environmental protection policy (*Groundwaters of Victoria*) (No. S160, Gazette 17/12/1997 or as varied)
- Model MAV Municipal Domestic Wastewater Management Plan 2005
- Model Land Capability Assessment Report 2006



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*Planning and Environment Act 1987*

## SOUTH GIPPSLAND PLANNING SCHEME

### BAW BAW PLANNING SCHEME

### LATROBE PLANNING SCHEME

## AMENDMENT GC\_

### EXPLANATORY REPORT

#### Who is the planning authority?

This amendment has been prepared by the Minister for Planning who is the planning authority for this amendment.

The amendment has been made at the request of South Gippsland Shire Council, Baw Baw Shire Council and Latrobe City Council.

#### Land affected by the amendment

The amendment applies to the following lands:

South Gippsland Shire:

- Tarwin River (Meeniyan) catchment, being the land identified in the Special Water Supply Catchment Areas listed in Schedule 5 to the Catchment and Land Protection Act 1994.
- All land affected by the existing application of the South Gippsland Planning Scheme Environmental Significance Overlay Schedule 2 'Water catchments' in the South Gippsland Planning Scheme.

Baw Baw Shire:

- Tarwin River (Meeniyan) catchment, being the land identified in the Special Water Supply Catchment Areas listed in Schedule 5 to the Catchment and Land Protection Act 1994.
- Mirboo North catchment, being the land identified in the Special Water Supply Catchment Areas listed in Schedule 5 to the Catchment and Land Protection Act 1994.
- All land affected by the existing application of the Baw Baw Planning Scheme, Environmental Significance Overlay Schedule 2 'Water catchments' with the exception of Melbourne Water catchments.

Latrobe City:

- Tarwin River (Meeniyan), Tanjil River, Tyers River and Merrimans Creek catchments, being the land identified in the Special Water Supply Catchment Areas listed in Schedule 5 to the Catchment and Land Protection Act 1994.
- **All-Partial** land affected by the existing application of the Latrobe Planning Scheme, Environmental Significance Overlay Schedule 2 'Water catchments' **and the removal of areas not within designated Special Water Supply Catchment Areas**.

#### What the amendment does

The amendment introduces into the Environmental Significance Overlay Schedule 2 'ESO2 - Water Catchments' lands identified in the abovementioned three planning schemes as Special Water Supply Catchments in Schedule 5 to the Catchment and Land Protection Act

1994. The Amendment also removed from the ESO2 catchments which are no longer used and for which continuing application of the ESO2 is inappropriate.

The amendment makes the following changes to the three Planning Schemes:

South Gippsland Planning Scheme:

- Replaces Clause 42.01 Schedule 2 (Water catchments) with a new ESO2 Schedule.
- Amend Planning Scheme Maps 6ESO2, 8ESO2, 9ESO2, 13ESO2, 14ESO2, 18ESO2 and 21ESO2 of the South Gippsland Planning Scheme.
- Inserts new Planning Scheme Maps 7ESO2, 15ESO2, 16ESO2, 17ESO2, 20ESO2 and 23ESO2 into the South Gippsland Planning Scheme.
- Amend the Schedule to Clause 61.03 to include the new planning scheme maps in the South Gippsland Planning Scheme.

Baw Baw Planning Scheme:

- Replaces Clause 42.01 Schedule 2 (Water catchments) with a new ESO2 Schedule
- Amend Planning Scheme Maps 38ESO, 40ESO and 49ESO.
- Insert new Planning Scheme Maps 48ESO.
- Amend the Schedule to Clause 61.03 to include one new planning scheme map in the Baw Baw Planning Scheme.

Latrobe Planning Scheme:

- Replaces Clause 42.01 Schedule 2 (Water catchments) with a new ESO2 Schedule
- Delete Planning Scheme Maps 116ESO2 and 121ESO2.
- Amend Planning Scheme Maps 37ESO2, 38ESO2, 43ESO2, 127ESO2, 128ESO2.
- Insert new Planning Scheme Maps 11ESO2, 12ESO2, 13ESO2, 14ESO2, 125ESO2, 126ESO2 and 133ESO2.
- Amend the Schedule to Clause 61.03 to include 10 new Planning Scheme Maps in the Latrobe Planning Scheme.

### Strategic assessment of the amendment

#### Why is the amendment required?

The amendment is required to include within the ESO2 (Water Catchments) the lands identified as 'Special Water Supply Catchment Areas' in Schedule 5 to the *Catchment and Land Protection Act 1994*. Special Water Supply Catchment Areas (water catchments) are geographic areas (watersheds) where water is drawn from a waterway or reservoir for the purpose of domestic use, including human consumption. The water catchments in this amendment are 'Open Catchment' which means they include both public and private land. It is important that catchment areas are identified in the ESO2 because the Victorian Planning Provisions require most forms of buildings and works in catchments (including new dwellings) to be assessed by the water authority responsible for the catchment before councils can issue a planning permit. State-wide guidelines discourage the approval of new dwellings in water catchments where dwelling densities exceed an average of one dwelling per 40ha. Application of the ESO2 informs landowners and land purchasers of the existence of a catchment and its potential impacts on the use and development of land.

The new ESO2 Schedules remove the need for a planning permit for most forms of buildings and works other than those likely to have a potential impact on water quality in a catchment. The new Schedules provide a balance between facilitating development and protecting potable water supply quality which is critical to human health.

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### How does the amendment implement the objectives of planning in Victoria?

The amendment addresses the ~~Objectives~~ objectives of planning in Victoria. The amendment:

- *“Provides for the fair, orderly, economic and sustainable use, and development of land.”* The amendment is orderly planning because it identifies in the planning schemes (through application of the ESO2) an existing land use and development restriction which is otherwise not readily evident to the public. The amendment seeks to facilitate economic development in balance with the sustainable long term protection of catchments.
- *“Provides for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity”.* The amendment identifies and protects water catchments which are valuable natural resources critical to human health. Protecting catchments also protects ecological processes which in turn promotes genetic diversity.
- *“Secures a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria”.* Providing a safe potable water supply now and in the future is one of the highest values in land use planning. Providing a safe, efficient and secure long-term water supply is a foundation stone to a liveable community.
- *“Protects public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.”* Water catchments are a form of public utility asset regardless of the land within a catchment being in direct ownership or management of the utility authority. Protecting catchment water quality by application of appropriate planning controls provides a critically important benefit to the community.
- *“Balances the present and future interests of all Victorians.”* Water catchment planning must consider the long term needs of all Victorians. Water quality can be detrimentally affected by incremental development in catchments over long periods of time. The proposed ESO2 Schedule in each planning scheme identifies the need to consider incremental development pressures and seeks to ensure that a series of individual decisions over an extended period of time do not combine to endanger the values of a catchment.

### How does the amendment address any environmental, social and economic effects?

The amendment has a positive effect on the environment. The ESO2 will assist in protecting water quality in the catchment, protecting human health, which in turn provides a benefit to the natural environment in relation to species that rely on quantity and quality of water in waterways.

The amendment has positive social effects because the provision of a safe and secure potable water supply is a foundation on which most forms of human activity are based. Protecting the health of residents and visitors to catchment areas must be considered of the highest importance.

The amendment has positive economic effects. A safe and secure water supply is essential for residents within the catchment and also benefits agriculture and other industries. Murray Goulburn Cooperative Co. and Burra Foods Australia dairy factories are located in the catchment and both factories draw large quantities of water from local waterways for food processing. Maintaining a quality water supply is essential for food processing and providing a safe supply reduces the costs to these companies that would otherwise be spent improving (purifying) water quality prior to its use in food production.

The ESO2 also aims to protect water quantity which is critical for food production (both on-farm and factory use). Agriculture and food processing uses more than half of the water drawn from the Tarwin Catchment. Agriculture and food processing dominates the South Gippsland economy and (particularly in relation to the Tarwin Catchment) without a secure, quality water supply these industries may be threatened.

**Does the amendment address relevant bushfire risk?**

The amendment is neutral in relation to its impact on bushfire risk.

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

The amendment complies with the *Ministerial Direction No. 1 – The Form and Content of Planning Schemes and the Ministerial Direction No. 11 – Strategic Assessment of Amendments*.

**How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment complies with the following provisions of the State Planning Policy Framework ([SPPF](#)).

**Clause 11 Settlement**

*"Planning is to recognise the need for, and as far as practicable contribute towards...prevention of pollution to land, water and air".*

The amendment addresses this **Objective-objective** by seeking to prevent water pollution in the affected catchments. The ESO2 will control the number and siting of new waste water treatment plants in the catchments, ensuring that nutrient and sediment runoff into waterways is minimised and manageable.

*"Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities."*

The ESO2 provisions seek to promote sustainable land use and development for the purpose of protecting water quality in the catchment. The catchment areas are a natural resource asset and a form of utility area for South Gippsland Water and Gippsland Water. Protecting water quality across the catchments will assist the water authorities to provide a safe and secure potable water supply without the need for additional and costly water treatment.

**Clause 11.06-7 Environmental assets (Gippsland Regional Growth Plan)**

*"Support ongoing investment in water infrastructure and management of water resources to enhance security and efficiency of water supply to industry and urban areas."*

As noted above, application of the ESO2 across designated catchments will assist in protecting the quality and quantity of potable water supply in the affected catchments.

**Clause 14.02-1 Catchment planning and management**

*"To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater and the marine environment"*

Strategies relevant to this amendment include:

- Protect water catchments and water supply facilities to ensure the continued availability of clean, high-quality drinking water.
- Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.

- Ensure that works at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their in-stream uses.
- Ensure land use and development proposals minimise nutrient contributions to waterways and water bodies and the potential for the development of algal blooms.
- Ensure planning is coordinated with the activities of catchment management authorities.

Relevant policy guidance is provided by:

- *Guidelines for planning permit applications in open, potable water supply catchment areas (Department of ~~Planning and Community Development, 2009~~Transport, ~~Planning and Local Infrastructure, 2012~~).*

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Application of the ESO2 seeks to control the use and development of land to protect the quality and quantity of water in catchment waterways. Planning permit triggers provided by the ESO2 allow Council to assess uses for their potential impact on waterways, control where and how buildings and works occur on land, and control (through permit conditions) measures, such as landscape buffer planting, to ensure that possible impacts resulting from use and development are reduced. The ESO2 is a planning tool that can be used over an extended period of time to ensure that gradual / accumulative development does not incrementally affect the quality and quantity of water in catchments.

Application of the ESO2 over the entire area of the Tarwin Catchment will allow the councils and water authorities to assess planning permit applications for the use and development of land in a catchment in a consistent and transparent manner. Identifying the Tarwin Catchment (and other catchments affected by this amendment) by application of the ESO2 in the relevant planning schemes will inform landowners and purchasers of the restrictions on the use and development of land and avoid the potential that land is purchased for a use which is incompatible with the lands location in a potable water supply catchment.

#### Clause 19.03-2 Water supply, sewerage and drainage

*"To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment."*

The Strategy relevant to this ~~Objective-objective~~ is *"Ensure water quality in water supply catchments is protected from possible contamination by urban, industrial and agricultural land uses."*

Policy guidance is also provided with reference to *"Guidelines for planning permit applications in open, potable water supply catchment areas (Department of ~~Planning and Community Development, 2009~~Transport, ~~Planning and Local Infrastructure, 2012~~).*

This provision again stresses the high importance the ~~State Planning Policy Framework~~ (SPPF) places on the protection of potable water supply catchments. It is critical to achieving the various Objectives and Strategies in the SPPF that planning schemes include all officially recognised potable water supply catchments in the ESO2 so that landowners, purchasers, developers, government agencies / authorities and councils are aware of the need to take the highest level of care when considering or assessment land use and development in catchments.

**How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

#### South Gippsland Planning Scheme

##### Clause 21.07-2 Land and catchment management

The provisions states *"Interaction with the natural environment directly and indirectly impacts on the community's lifestyle and standard of living. Land and water degradation issues*

*facing the Shire include soil erosion, pest plants and animals, water quality and salinity. It is important to ensure that the Shire's natural resources are protected and actively promoted for the benefit of current and future generations."*

Objective – *"To achieve a measurable improvement in the health of the Shire's land and water resources"*

The Strategies relevant to this Objective and the amendment are:

- Ensure integrated catchment management principles are applied when managing the Shire's land and water resources.
- Ensure that changes in land use do not lead to a decline in the quality of land and water resources.
- Support and promote efforts to improve water quality, aquatic and riparian ecosystems, including streams, rivers, lakes, bays and their adjacent side channels, floodplain and wetlands.
- Reduce sediment and nutrient inputs into the Shire's waterways.

These local policies mirror the provisions of the SPPF and again highlight the importance land use and development planning places on the protection of water quality and retaining an appropriate level of water supply.

Critical to achieving the Objective and Strategies is inclusion of potable water supply catchments in the ESO2. This is reflected in the 'Application of zones and overlays' provision which states that South Gippsland Shire Council should *"Apply the Environmental Significance Overlay – Water Catchments to water supply catchments to protect water quality"*. The amendment fulfils this requirement.

### **Latrobe Planning Scheme**

#### **Clause 21.01 Municipal Profile**

The Municipal Profile discusses the importance of water as a resource with the comment that *"Water is among Latrobe's most valuable resources, and water quality, security and management are key opportunities. Latrobe City has a more secure water supply and larger capacity sustainable waste water system than any other Victorian region. Water is supplied from three highly reliable and interlinked sources. The Gippsland Water Factory will add to resources being a new wastewater treatment and recycling system treating up to 35 million litres of domestic and industrial wastewater daily."*

#### **Clause 21.03-5 Water Quality and Quantity Overview**

Objective – *"To protect and improve water quality and river health"*.

The Strategies relevant to this objective and the amendment are:

- Improve the balance between multiple uses of groundwater and surface water.
- Provide buffers to waterways to maintain water quality.

#### **Clause 21.03-9 Implementation**

The Latrobe Planning Scheme identifies as 'Further Strategic Work' *"Develop Environmental Significance Overlays to protect natural assets and to protect water supply catchments"*.

This amendment includes the Tarwin Catchment in the Latrobe Planning Scheme and makes other corrective changes to the existing ESO2 application in the Planning Scheme.

### **Baw Baw Planning Scheme**

#### **Clause 21.02-2 Environmental Management and Values**

This policy notes *"The Shire's natural environment contains pristine areas of high habitat value, supports high quality water catchments, is endowed with excellent scenery and extensive areas for sustainable timber production."*

#### **Clause 21.10-1 Water Catchments**

The policy notes *"Most of Baw Baw Shire is in the headwaters of the Latrobe River system, forming part of the West Gippsland Catchment Authority area. It is critical that water quality in streams be maintained through the management of run off from urban, forest and rural areas. A smaller area on the western edge of the Shire lies in the Westernport Bay catchment area which is covered by the Port Phillip and Westernport Bay Regional Catchment Strategy. The Shire also takes in parts of the Tarwin Catchment on its southern edge."*

Objective – "To protect water catchments from inappropriate development".

The policy is implemented through application of the ESO2 and by (Implementation provision) "Applying the interim Guidelines for Potable Water Supply Catchments for planning applications for land located in such catchments where those applications involve use or development of land".

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

The amendment makes proper use of the Victorian Planning Provisions by appropriately mapping the ESO2 to declared water supply catchments and replacing the existing ESO2 Schedules with new Schedules which reduce the burden of the ESO2 on affected landowners.

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

The amendment has been prepared in consultation with South Gippsland Water and Gippsland Water which are the agencies responsible for assessing planning permit applications in declared water supply catchments. West Gippsland Catchment Management Authority has also been consulted in the preparation of the amendment provisions.

#### **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment has no impact on the Transport Integration Act 2010.

#### **Resource and administrative costs**

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

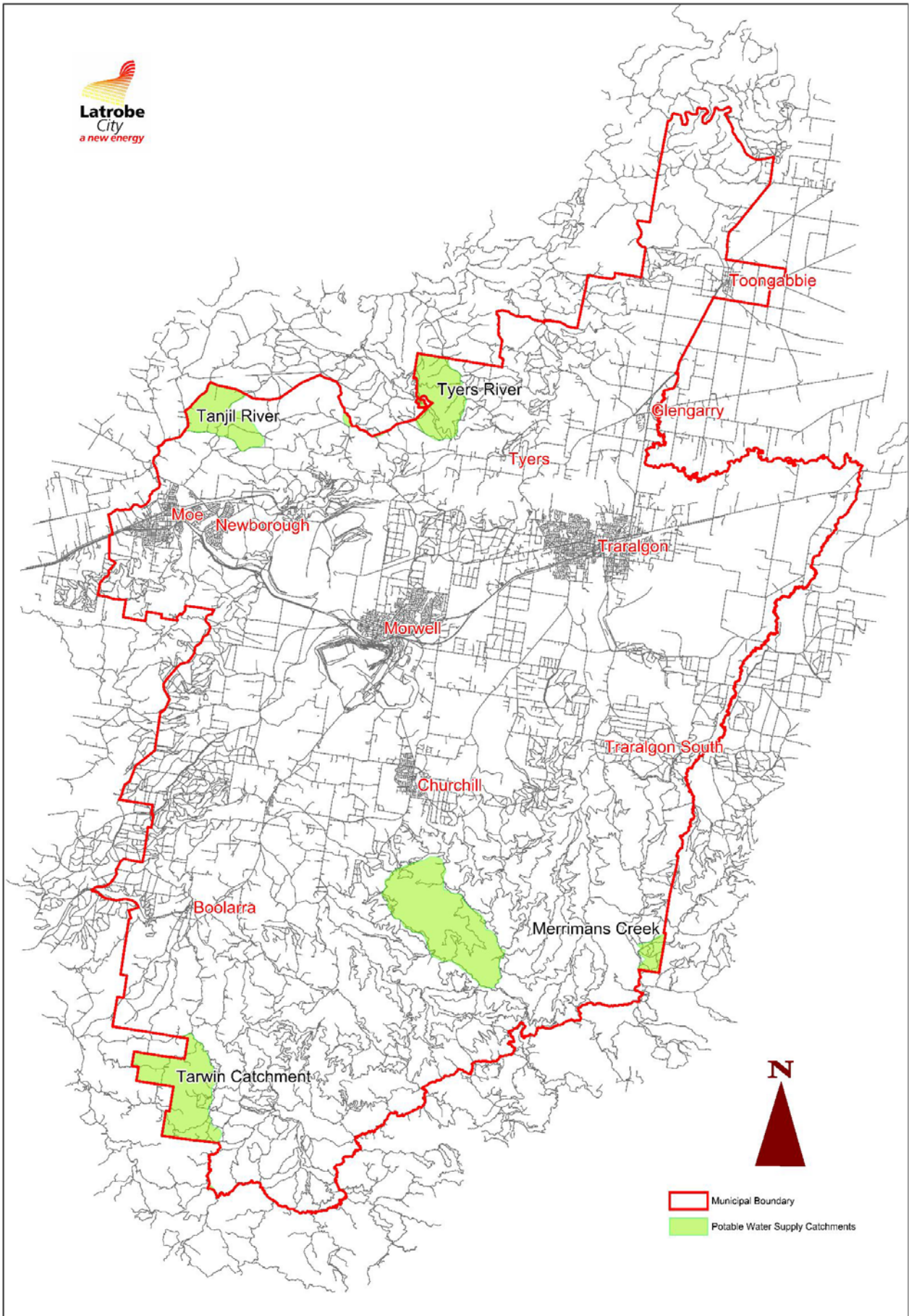
The amendment will have little impact on the resource and administrative costs of the responsible authorities. The ESO2 Schedule provisions provide a broad range of permit exemptions for buildings and works which are unlikely to affect potable water supply quality and quantity in the catchments. Where the ESO2 is proposed to be newly applied (Tarwin Catchment), more than 80% of the land is already affected by an existing planning scheme overlay control (commonly the Bushfire Management Overlay and/or erosions controls) triggering the need for a planning permit for most forms of building and works. It is considered unlikely that the proposed application and changes to the ESO2 mapping will increase the permit burden on landowners and councils much beyond that which is already provided in the planning schemes.



**Where you may inspect this Amendment**

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

- South Gippsland Shire Council, 9 Smith Street, Leongatha
- Baw Baw Shire Council, 61 Smith Street, Warragul
- Latrobe City Council, 141 Commercial Road, Morwell



## LATROBE PLANNING SCHEME

19/01/2006  
VC37Proposed  
GCXX**SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO2

**WATER CATCHMENT****1.0**Proposed  
GCXX19/01/**Statement of environmental significance**

~~These areas are an important and reliable source of high quality water providing a potable water supply for a number of urban settlements. Approximately 5% of all land in the Latrobe City Council is located in catchments that are used to provide water for urban, domestic and irrigation water supply. These catchments are in a Special Water Supply Catchment Area as defined in the *Catchment & Land Protection Act 1994* and provide water for areas both in Latrobe City and beyond its borders.~~

~~The supply of quality water for a range of uses including human consumption, domestic rural irrigation and industrial activities depends on sound management of water supply catchments.~~

~~As water supply catchments are large and water take-off tends to occur in the lower parts of catchments, it is particularly important that land use and/or development within Special Water Supply Catchments is carefully managed so not to adversely impact on water quality.~~

~~Cumulative use and/or developments in catchments over extended time periods have the potential to gradually diminish water quality and increase risk to human health. Managing use and/or development in catchments must focus on the long term protection of the natural asset and strongly encourage the implementation of measures that reduce or entirely avoid detrimental impacts on water quality and quantity.~~

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**2.0**19/01/2006  
VC37Proposed  
GCXX**Environmental objective to be achieved**

- ~~▪ To protect and sustain the environmental attributes which ensure high quality water availability. To protect and maintain water quality and quantity in Special Water Supply Catchment areas used for human consumption, domestic, industrial and rural water supply.~~
- ~~▪ To ensure that development activity and land management practices are consistent with the long term conservation of potable water supply resources.~~
- ~~▪ To minimise the impact of development activities in Special Water Supply Catchment areas, particularly near water supply take-off points and storage reservoirs.~~
- ~~▪ To encourage retention of native vegetation and the establishment of new vegetation cover, particularly within 30 metres of a waterway.~~
- ~~▪ To consider the cumulative impact of development on Special Water Supply Catchments over an extended time period having regard to both climate variability and anticipated reduced inflows in catchments.~~
- ~~▪ To ensure new development proposals meet best practice guidelines for agricultural, domestic, commercial and industrial wastewater treatment which result in reduced nutrient, pathogenic and sediment flows.~~
- ~~▪ To protect public health from the risk of waterborne diseases.~~

**3.0**19/01/2006  
VC37Proposed  
GCXX**Permit requirement**

## LATROBE PLANNING SCHEME

A permit may only be granted to remove trees from not more than 10% of the land and to clear understorey from not more than 30% of the land.

A permit is not required for any of the following:

- Buildings, works, subdivision of land or remove, destroy or lop any vegetation where reticulated sewerage is already provided to the lot.
- Buildings and works where they are located more than 100m from a waterway and/or more than 300m from a water supply reservoir or potable water supply off take structure, other than:
  - More than one dwelling on a lot of 40ha or more
  - A dwelling on a lot of less than 40ha
  - Buildings and works associated with the use of land for intensive animal husbandry
  - Buildings and works that will generate waste water or effluent requiring a permit under Section 53L of the Environment Protection Act 1970 (as amended)<sup>3</sup>
- Buildings and works associated with 'informal outdoor recreation' or a 'Telecommunication facility' provided it does not require permanent onsite waste water or effluent treatment. Buildings and works (including vegetation removal, destruction or lopping) undertaken by, or on behalf of a municipality or public authority which are necessary for shore management or to control flooding, fight fires, abate fire risk or preserve public safety
- Earthworks associated with timber production that meets all the relevant requirements of the Code of Practice for Timber Production 2007 (as amended).
- A subdivision by a public authority, or a utility provider, provided the subdivision does not create a new lot within 100 metres of a waterway, wetland, flood plain<sup>1</sup> and/or within 300 metres from a water supply reservoir<sup>2</sup> or potable water supply off-take structure.
- An outdoor advertising sign / structure.
- The following agriculture activities:
  - Ploughing and similar activities, except within 30 metres of a lake, wetland or waterway.
  - Windmills and solar units.

*Permit requirement explanatory note:*

Flood plain<sup>1</sup>. For the purpose of this schedule a flood plain is land included in a planning scheme overlay flood control and land affected by the 100 year Average Recurrence Interval flood level (1 in 100 year flood level) recognised and mapped by the relevant floodplain management authority.

Water supply reservoir<sup>2</sup>. The requirement for a planning permit within 300 metres of a water supply reservoir (measured from the full supply level) does not apply to proposals on land outside of the water supply reservoir capture slope (downhill of the reservoir) or any circumstance where the water supply reservoir is an above ground structure.

Section 53L of the Environmental Protection Act 1970 (as amended)<sup>3</sup>. A permit is required under Section 53L of the Environmental Protection Act 1970 to construct, install or alter a septic tank system.

**4.0**  
19/01/2006  
VC37Proposed  
GCXX

#### **Application requirements**

An application to construct buildings or to carry out or construct works must be

LATROBE PLANNING SCHEME

accompanied by a report which demonstrates / includes the following:

- A Land Capability Assessment (in accordance with EPA Publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management (as amended) demonstrating the land is capable of absorbing sewage and sullage effluent generated on the lot in accordance with the EPA Code of Practice - Onsite Wastewater Management (Publication 891.3) (as amended).
- That the design of any wastewater treatment system will ensure that nutrient, pathogens or other pollutants from wastewater will not enter any waterway, wetland, flood plain or water supply reservoir or otherwise detrimentally affect the designated beneficial uses of groundwater or surface water.
- That any activities will be carried out and maintained to prevent erosion and the siltation of any waterway or wetland in accordance with EPA Victoria publication - Construction Techniques for Sediment Pollution Control 1991 (as amended).
- That any removal, destruction or lopping of native vegetation will not compromise the quality of water within proclaimed catchment areas.
- That the siting of buildings and wastewater treatment systems will not adversely impact on the quality of water within declared catchment areas.
- Details of slope (including contours at an appropriate scale), soil type, extent of excavation and vegetation including details of new plantings to occur.

The requirements of section 4 of this schedule can be reduced or set-aside if in the opinion of the responsible authority and relevant water corporation that compliance is unnecessary for the application to demonstrate compliance with the Objectives and Decision guidelines of the schedule.

**5.0 Decision guidelines**

18-04/2006  
VC37P Proposed  
GCXX

Before deciding on an application, the responsible authority must consider: the effect of the proposed development or works on the quality of water from the catchment.

- The likely impacts of the proposed development on water quality and quantity in the water supply catchment.
- The potential cumulative impact of development on the quality and quantity of water in the water supply catchment over extended periods of time.
- Whether new development proposals will lead to an increase in the amount of nutrients, pathogens and/or other pollutants reaching streams, surface water bodies and groundwater.
- Whether subdivision and intensive farming activities in water supply catchments, especially in the lower parts of water supply catchments near take- off points are appropriate.
- Any relevant catchment management plan, policy, strategy or Ministerial Direction, including the Ministerial Guideline for Planning Permit Applications in Open Potable Water Supply Catchment Areas (as amended).

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**6.0 Referral of applications**

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VC37P Proposed  
GCXX

An application must be referred to the relevant water board or water supply authority under Section 55 of the Act, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and relevant water corporation.

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Table One: Breakdown of affected properties and the impact of the revised ESO2

Number of properties affected	Current dwelling status		Lot size		Overlay		Impact of revised ESO2 with regard to dwellings
	Existing Dwelling	Vacant (without a dwelling however may include structure such as farming infrastructure)	Less than 40ha	Greater than 40ha	Existing ESO2	BMO	
Proposed properties to be included in the ESO2 (119 properties)							
3		✓		✓			Introduces a new requirement for a planning permit for a single dwelling under the new ESO where a permit is required under Section 53L of the <i>Environment Protection Act 1970</i> for buildings and works that will generate waste water or effluent.
1		✓	✓				Introduces a new requirement for a planning permit under the new ESO (Rural Living Zoned land)
16	✓			✓			Extensions to existing dwellings and other buildings and works may trigger planning approval where previously not required.
17		✓		✓		✓	Already require planning approval under the Zone and the BMO. The new ESO introduces additional requirements of the permit applicants.
82	Affects both	Affects both	✓			Applies to some	A Planning Permit is currently required for the construction of a dwelling on vacant land. Additional requirements will be required of permit applicants for a new dwelling and potentially extensions.
Properties with existing ESO2 (61 properties)							
61	✓		✓	✓	✓	✓	Existing properties within the ESO have dwellings on them, require planning approval due to lot size or are within the BMO. The new ESO will trigger additional requirements for new dwellings and extensions (depending on the size).

Councillor Graeme Middlemiss returned to the meeting, the time being 07:27 pm

### **13.4 LATROBE PERFORMING ARTS AND CONVENTION CENTRE - DRAFT REVIEW REPORT**

**General Manager**

**Planning & Economic  
Sustainability**

**For Decision**

#### **PURPOSE**

The purpose of this report is to present the draft Latrobe Performing Arts and Convention Centre review to Council for consideration and to seek endorsement to release the draft review for community consultation in accordance with Council's Community Engagement Plan.

#### **EXECUTIVE SUMMARY**

The draft Latrobe Performing Arts and Convention Centre review has been completed and is presented to Council for endorsement to release for community consultation.

A report was presented to Council at the Ordinary Council meeting held 15 December 2014 whereby it was discussed that there is now an opportunity to apply for Federal Government funding towards the Latrobe Performing Arts and Conference Centre. As considerable time had elapsed since the production of the business case, Council should critically review the project feasibility and either review or reaffirm where the LPACC is located and its underlying capital costs and business case before applying for Federal Government funding.

The draft review includes information and key findings in relation to demand, estimated costs, benchmarking and community consultation. Based on the findings of the review, the recommended location of the proposed facility is the existing performing arts site in Traralgon.

It is recommended that Council endorse the draft review for community comment and hold a Special Council meeting to hear from community members. A final review report can then be completed and presented to Council at a later date.

**RECOMMENDATION**

That Council:

1. Endorse the draft Latrobe Performing Arts and Convention Centre review for community consultation for a period of 7 weeks, commencing Tuesday 14 April 2015 to Monday 1 June 2015.
2. Invite written submissions to be received for a period of 4 weeks commencing Tuesday 14 April 2015 to Tuesday 12 May 2015.
3. Write to key stakeholders identified in this project and inform them of the community consultation period and written submission period.
4. Hold a Special Council meeting on 18 May 2015 to allow community members speak to their submissions.

**Moved:** Cr Gibson

**Seconded:** Cr Rossiter

**That the Recommendation be adopted.**

**For the Motion**

Councillors Gibson, Rossiter, Sindt, O'Callaghan, Kam, Harriman and Gibbons

**Against the Motion**

Councillors White and Middlemiss

**The Mayor confirmed the Motion was CARRIED.**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.



*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives – Built Environment*

In 2026, Latrobe Valley benefits from a well-planned built environment that is complimentary to its surroundings and which provides for a connected and inclusive community.

*Strategic Objectives – Culture*

In 2026, Latrobe Valley celebrates the diversity of heritage and cultures that shape our community with activities and facilities that support the cultural vitality of the region.

*Strategic Objectives – Community*

In 2026, Latrobe valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.

*Latrobe City Council Plan 2013 - 2017*

*Theme and Objectives*

*Theme 1: Job creation and economic sustainability*

Actively pursue long term economic prosperity for Latrobe City, one of Victoria's four major regional cities

*Strategic Direction –*

Work in partnership with business, industry and government to create new jobs and investment in Latrobe City.

Provide timely and targeted infrastructure to support economic growth and the marketability of Latrobe City to industry and investors.

Provide timely and targeted infrastructure to support economic growth and the marketability of Latrobe City to industry and investors.

Promote and support the development and economic return of the tourism and events sector.

Enhance community and business confidence in the future of the local economy.

*Theme 2: Affordable and Sustainable facilities, services and recreation*

To provide facilities and services that are accessible and meet the needs of our diverse community

To promote and support a healthy, active and connected community

*Strategic Direction –*

Develop and maintain community infrastructure that meets the needs of our community.

**ORDINARY COUNCIL MEETING MINUTES  
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Promote and support opportunities for people to enhance their health and wellbeing.

Encourage and create opportunities for more community participation in sports, recreation, arts, culture and community activities.

Enhance and develop the physical amenity and visual appearance of Latrobe City.

**BACKGROUND**

In March 2008, Latrobe City Council considered a petition requesting that 'Council build a state of the art Performing Arts and Convention Centre'. This petition contained over 1,200 signatures and at this time Council resolved to undertake a feasibility study to assess this request.

The feasibility study was completed in late 2009 and articulated that for a regional centre, Latrobe City's provision and quality of performing arts infrastructure needs improvement. It provided a comparison of two development scenarios, Scenario 1 – Traralgon and scenario 2 – Morwell, assumptions, economic value, capital costs and employment benefits.

Following the release of the feasibility study Council, at its Ordinary Council Meeting on 7 June, 2010 resolved:

1. *That the proposal to construct a Performing Arts and Convention Centre on the Kernot Hall site be adopted.*
2. *That work not commence until funding availability has been clarified and the project included in Council's budget process, including the impact on rates.*
3. *That existing facilities (including hall/theatre) on the Traralgon Civic Complex be retained and maintained appropriately.*
4. *That the Mayor writes to all who made a submission to thank them for their contribution and advise of Council's decision to adopt the Latrobe Performing Arts and Convention Centre Feasibility Study October 2009, Development Scenario 2 – Morwell.*

A report was presented to Council at the Ordinary Council meeting held 15 December 2014 whereby it was discussed that there is now an opportunity to apply for Federal Government funding towards the Latrobe Performing Arts and Conference Centre. As considerable time had elapsed since the production of the business case, Council should critically review the project feasibility and either review or reaffirm where the LPACC is located and its underlying capital costs and business case before applying for Federal Government funding.

As such, at this meeting, Council resolved the following:

*That Council:*

1. *Critically reviews the feasibility of scenario 1 (Traralgon) and scenario 2 (Morwell) for the Latrobe Performing Arts and Conference Centre project, to ensure optimal 'whole of life' operational costings.*
2. *Submits an application to the National Stronger Regions fund (NSRF) in the second round; and*
3. *Implements a community engagement process during and after the Business Case review.*

### **KEY POINTS/ISSUES**

The consulting firm, Geografia, were selected to undertake the Latrobe Performing Arts and Convention Centre review which has focussed on the following aspects: community sentiment for the project, location, capital costs of the proposed facility and the operational costings of the proposed facility.

The draft review report (attachment 1) includes the following key findings in relation to the review:

#### **Community and Stakeholder Sentiment**

The key themes and statistics emerging from the stakeholder consultation are as follows:

##### Online Survey Statistics

- As of 27 March, 601 surveys were received with 533 (89%) in favour of a new facility.
- "Inadequate existing facilities" was the main reason for the respondents support and the next main reason was "adding value to the local economy".
- Of the 11% who do not support it, 41 (73%) say there are more important needs for Latrobe and 35 (63%) say the City is already well provisioned with performing arts spaces.
- 352 respondents (60%) said they would support refurbishment of existing facilities.
- The most important factor Council should consider in deciding on developing a facility was convenience and availability of parking (93% of respondents cited this as very important or somewhat important). This was followed by 527 respondents citing the needs of the performing arts community (92%).

\* Please also note that surveys will still be accepted throughout this project until 1 June 2015 and any information will form part of final review report.

In addition, Geografia have advised that demographic profile of respondents and their attendance rates strongly indicate the survey is not a statistically significant representative sample of the wider community.

Existing Infrastructure

- Performing arts groups, school groups, Creative Gippsland and Council representatives all agree that the existing facilities in Latrobe City provides requires improvements in respect to purpose-built performance/conference space. Limited dressing room and backstage space; safety/access/comfort of seating; and insufficient maintenance were reported as the most significant problems.
- The existing venues are not adequate to continue supporting high quality events.
- It is recognised by both the State Government and Council that Latrobe City is poorly provisioned in cultural facilities, particularly compared with other regional cities.

Changes since last study

There have been changes to the performing arts landscape since the last study, in particular:

- Demand from schools has decreased since the 2009 stimulus spending, which enabled many schools to build their own or shared performing arts spaces (e.g. Lowanna College Auditorium in Newborough).
- Increasingly, shows are being produced in a simpler format, which gives them more freedom to perform in smaller theatres with fewer technical provisions.
- In some cases, production companies are under pressure to perform in regional areas in order to meet the conditions of their funding provision. The overall result is a greater demand for arts/performance space and broader options when programme planning.
- In contrast, the technical demands of the conference sector have increased e.g. "value-adds" like AV equipment and quality onsite catering.
- Demand expectations may also have changed, notably, ticket sales from 2009 to 2013-14 increased by approximately 25%. These trends have been factored into the demand projections which provide a low, mid and high scenario for market growth (to be provided in the draft review report). There is a slight variation in expectations for demand between the Traralgon and the Morwell site (Traralgon at 2.2% higher). This is due to the notably higher propensity for arts and cultural activities amongst Traralgon residents as indicated in the analysis of ticket sales and postcode data.

Likely Demand from Community Arts Groups

Community performing arts groups are not seeking additional (seating) capacity, so much as more versatile, better maintained facilities. Many groups said they already felt 'priced out' of Council facilities and had sought alternative locations.

### Convention Centre

There was general optimism that the convention/conference centre proposal had potential to bring in significant earnings from outside Latrobe City, mainly due to:

- Perceived growth in the conference sector.
- Confidence that with effective and targeted promotion, there is a real opportunity to attract events and conferences to Latrobe City.

### Funding

- Stakeholders noted that it is consistent with current State Government policy to consider the infrastructure needs of the surrounding communities (i.e. Baw Baw) as well as the Latrobe City community.
- It is also consistent with Government policy to support facilities that are complementary within a region (that is, not offering exactly the same functionality).
- Any funding requests to State or Commonwealth will be carefully scrutinised for demand projections and revenue/expenditure and they will need a robust business case in support of them.

### **Demand**

#### Growth Scenarios

Three scenarios were modelled when undertaking the research and included the following key assumptions:

- Increase in performance attendees at an average of 4%, 8% and 10% per annum growth (conservative, mid-range and ambitious scenario).
- Performance and events growth increase initially and then eases off.

#### Variation in Demand

- There is a slight variation in demand projections for the Traralgon and Morwell options; the assumption is that a Traralgon venue generates between 1.8%-2.2% more visitations, mostly due to the notably higher propensity for arts and cultural activities amongst Traralgon residents.

### **Location**

- The 2015 review confirms that gaps remain in existing performing arts facilities in Latrobe City.
- Overall, the Morwell site has the characteristics of an 'edge of town' site and Traralgon, an 'in town' site. While successful venues (for both performances and functions) can be run in both locations, industry experience indicates that there is more risk with 'edge of town' sites and a need for particularly active programming and promotion to maximise community interest and use.

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

- The Traralgon 'in town' site is very likely to be more successful in building an audience and stimulating local economic activity than the 'edge of town' location in Morwell.
- On this basis, and the views from key stakeholders, Traralgon should be considered the preferred site for the proposed construction of a new mixed-use performing arts facility.

### Capital Cost Estimate

The following capital costs are still yet to be confirmed but the consultants have advised that they will be close to these figures:

Morwell - \$16,974,000 (excluding any costs in relation to existing LPAC).

Traralgon - \$16,724,000 (including refurbishment to Kernot Hall).

### Operational Costs Estimate

The following capital costs are still yet to be confirmed but the consultants have advised that they will be close to these figures:

Morwell: \$917,000 - \$1,181,000 per year

- At the mid-range point, this represents a \$584,000 increase on the 2013/14 level.
- Subsidisation approximately \$11.13- \$12.15 per visitor (current subsidisation is approximately \$11.14 per visitor).

Traralgon: \$956,000 - \$1,225,000 per year

- At the mid-range point, this represents a \$626,000 increase on the 2013/14 level.
- Subsidisation approximately \$12.23- \$13.14 per visitor (current subsidisation is approximately \$11.14 per visitor).

### Whole of Life Operating Costs

- Given that a functional design brief has not been developed, it is difficult to calculate reliable whole-of-life operating costs or indicative replacement costs.
- A rule of thumb for maintenance, plane replacement and upgrading is to allow 3% per annum of the total current capital cost.
- Based on indicative capital costs, this would suggest that an annual amount of \$350,000 should be allowed per annum for Morwell and \$390,000 per annum for Traralgon.
- Whole-of –life operational costs are considered to an asset renewal fund. That is, the money you would have to set aside per annum to cater for any major building or plant replacement).
- These costs are in addition to the subsidisation figures identified in the financial forecast section of the draft review.

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

### Key Stakeholder Position

Two key stakeholders that Geografia consulted with were Creative Victoria (formerly Arts Victoria) and Regional Development Victoria. It is reasonable to say that both of these stakeholders would encourage the Traralgon site as it is centrally located in the town, closer to other amenities.

### Project Timeline

Please see below project timeframe:

<b>Action</b>	<b>Time Frame</b>
Appoint consultant	2 February 2015
Consultant to undertake review	9 February 2015 - 20 March 2015
Community Engagement during review (fluid)	17 February 2015 - 1 June 2015
Report to Council (for acceptance and release to community for final engagement)	Monday 13 April 2015
Community consultation continues	14 April 2015 - 1 June 2015
Written submissions	12 April 2015 – 12 May 2015
Proposed Special Council meeting	18 May 2015
Report to Council to adopt review	15 June 2015
Funding Application	1 May 2015 – 31 July 2015

### Release for further Community Comment/Consultation

This will provide community members an opportunity to make formal written submissions in regards to the review and Council staff and the consultants will be available to meet with any groups/individuals throughout this period as required.

Should Council endorse the release of the draft review for community comment, key stakeholders will be notified in writing and provided with

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

information on the opportunity to both make a written submission and speak to it at a Special Council meeting.

### Special Council Meeting

Based on the above time line, it is thought that it would be beneficial to hold a Special Council Meeting on 18 May 2015 so that community members can speak to their submissions. This meeting will need to be called in the appropriate manner.

### RISK IMPLICATIONS

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

<b>Risk</b>	That the draft review is not released for community comment within the appropriate timeframes.
<b>Outcome</b>	An application to the National Stronger regions fund may be missed.
<b>Likelihood</b>	Possible
<b>Consequence</b>	Major (adverse effect to reputation)
<b>Risk Rating</b>	Extreme
<b>Risk Mitigation</b>	Endorsement and release for final community consultation within specified timeframes so that final review can be considered by Council prior to funding closing.

<b>Risk</b>	Further funding is not forthcoming.
<b>Outcome</b>	Potential funds from Federal Government not enough for the project to go ahead or Council's contribution becomes greater.
<b>Likelihood</b>	Catastrophic
<b>Consequence</b>	Major (budget variation of >30%) (serious public or media outcry)
<b>Risk Rating</b>	Extreme
<b>Risk Mitigation</b>	Heavily advocate project to potential funding bodies.

<b>Risk</b>	Project does not proceed after review is complete.
<b>Outcome</b>	Expectations of community members are jeopardised.
<b>Likelihood</b>	Possible
<b>Consequence</b>	Moderate (heightened concern by local community)
<b>Risk Rating</b>	High
<b>Risk Mitigation</b>	Adequate financial project plan and communicate effectively with the community.



## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

<b>Risk</b>	Inaccurate estimated costs.
<b>Outcome</b>	Capital and operational costs greater than anticipated.
<b>Likelihood</b>	Possible
<b>Consequence</b>	Moderate (operating budget variation of 5-10%.
<b>Risk Rating</b>	High
<b>Risk Mitigation</b>	Develop functional design brief.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

There are no financial implications in regards to the release of the draft Latrobe Performing Arts and Convention Centre review.

Financial implications of the actual project should it proceed are:

Morwell: \$917,000 - \$1,181,000 per year

- At the mid-range point, this represents a \$584,000 increase on the 2013/14 level.
- Subsidisation approximately \$11.13- \$12.15 per visitor (current subsidisation is approximately \$11.14 per visitor).

Traralgon: \$956,000 - \$1,225,000 per year

- At the mid-range point, this represents a \$626,000 increase on the 2013/14 level.
- Subsidisation approximately \$12.23- \$13.14 per visitor (current subsidisation is approximately \$11.14 per visitor).

These will need to be considered once the final review is presented to Council at a later date and before any funding applications are made.

### **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

#### **Phase 1**

The following community consultation methods have been undertaken as part of the review and specific information is provided in attachments 2 and 3:

#### **Focus Groups**

Identified key stakeholders such as but not limited to: Latrobe Theatre Company, Latrobe Valley Eisteddfod, Theatre Companies and Latrobe City Council Internal Stakeholders etc.

Thursday 5 March 2015: 10.00am – 11.30am

Thursday 5 March 2015: 12.00pm – 1.30pm

Thursday 5 March 2015: 3.30pm – 5.00pm

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

Friday 6 March 2015: 2.00pm – 3.30pm

### Listening Posts

These provide community members with the opportunity to complete the survey and have an informal discussion about the project.

Monday, 23 February 2015: Latrobe Performing Arts Centre, Traralgon – 5.00pm to 8.00pm

Friday, 6 March 2015: Mid Valley Morwell - 10.00am to 12.00pm

Friday, 6 March 2015: Stocklands Traralgon – 6.00pm to 8.00pm

Thursday, 12 March 2015: Churchill Hub - 9.30am to 12.00pm

Thursday, 12 March 2015: Moe Service Centre – 1.00pm to 4.00pm

Tuesday, 17 March 2015: Latrobe Performing Arts Centre, Traralgon – 7.00pm to 8.00pm

- There were issues with the two listening posts at the Traralgon Performing Arts Centre. This was addressed quickly and the consultants have advised that this will not impact the review.
- Anyone who missed these listening posts will have an opportunity to express their opinion via survey, 1:1 meeting, written submissions after the draft report is released or at an upcoming Council meeting.

### Meetings

1:1 meetings/telephone calls with key stakeholders were undertaken by the consultant and booked in during the consultation period.

### Direct Mail

All previous submitters to the initial LPACC Feasibility Study were sent correspondence including the survey (Approximately 450).

All members of the LPAC were sent correspondence including the survey (Approximately 350).

All primary schools and secondary schools were sent correspondence including the survey in the week of 23 March 2015.

### Online Survey

The online survey has been available to complete since Thursday 19 February 2015.

### Hardcopy Surveys

*Surveys were available at the following locations and also available upon request:*

Traralgon Service Centre and Library  
 Moe Service Centre and Library  
 Morwell Service Centre (HQ) and Library  
 Churchill Hub  
 Morwell Leisure Centre  
 Churchill Leisure Centre  
 Moe/Newborough Leisure Centre  
 Traralgon Sports Stadium  
 Early Learning Centres

- Please Note – Some hard copy surveys were distributed with the following error:

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

Question: In the last 12 months, have you attended any of the following types of performances in these locations:

*Musical Performance/Recital* – This was doubled up and was amended quickly on all surveys.

This error was amended promptly and the consultants have confirmed that this has not impacted in any way on the review that they have conducted.

### Media

A media release was issued to local media outlets on Thursday 19 February 2015 which provided details on the project and directed people to the online survey.

### Advertising

Advertising was carried out in the Council Noticeboard of the Latrobe Valley Express on 19, 23 and 26 February and 9 March. This included details on how to get involved and also provided information on the community listening posts.

### Website and Social Media

Opportunities to be involved have been included on the Council's website 'Have a Say' page, Facebook and Twitter, including the community listening post details.

## **Phase 2**

The following community engagement methods will be undertaken in line with Council's Phase 2 community engagement plan should the draft review be endorsed for release:

### Direct Mail

All stakeholders that were contacted in Phase 1 will be sent correspondence providing them with details on where to access the draft review, how they can make a written submission and details of the Special Council meeting.

### Meetings

1:1 meetings/telephone calls with key stakeholders will be offered should they require it.

### Surveys

These will continue to be provided online and at the locations as listed previously.

### Draft Review

This document will be made available on Council's website and hard copies at the locations listed previously.

Media

A media release will be issued.

Advertising

Advertising will be carried out from 14 April 2015. This will include details of the proposed Special Council meeting.

Website and Social Media

Opportunities to be involved have been included on the Council's website 'Have a Say' page, Facebook and Twitter.

**OPTIONS**

Council has the following options in relation to this report:

1. Endorse the draft Latrobe Performing Arts and Convention Centre review for community consultation for a period of 7 weeks, commencing Tuesday 14 April 2015 to Monday 1 June 2015 and invite written submissions to be received for a period of 4 weeks commencing Tuesday 14 April 2015 to Tuesday 12 May 2015.
2. Not endorse the draft Latrobe Performing Arts and Convention Centre review for community consultation for a period of 7 weeks, commencing Tuesday 14 April 2015 to Monday 1 June 2015.
3. Request further information or changes be provided in relation to the project.

**CONCLUSION**

A report was presented to Council at the Ordinary Council meeting held 15 December 2014 whereby it was discussed that there is now an opportunity to apply for Federal Government funding towards the Latrobe Performing Arts and Conference Centre. As considerable time had elapsed since the production of the business case, Council should critically review the project feasibility and either review or reaffirm where the LPACC is located and its underlying capital costs and business case before applying for Federal Government funding.

Geografia (consultants) were engaged to undertake this review and they have presented a draft review report that encompasses community sentiment, financial analysis, benchmarking, market assumptions and optimal location.

Endorsement of the review for final community consultation is now required prior to a final draft review being prepared and presented to Council at a later date.

**SUPPORTING DOCUMENTS**

1. National Stronger Regions Fund – Latrobe Performing Arts and Convention Centre Council Report 15 December 2015.
2. Latrobe Performing Arts and Convention Centre Councillor Briefing Report 16 February 2015.
3. Latrobe Performing Arts and Convention Centre Councillor Briefing Report 30 March 2015.
4. Latrobe Performing Arts and Convention Centre Business Case September 2012.
5. Latrobe Performing Arts and Convention Centre Feasibility Study October 2009.

**Attachments**

1. LPACC Review - Draft Report
2. LPACC Community Engagement Plan
3. LPACC Engagement List - Phase 1

## **13.4**

### **Latrobe Performing Arts and Convention Centre - Draft Review Report**

<b>1</b>	<b>LPACC Review - Draft Report.....</b>	<b>493</b>
<b>2</b>	<b>LPACC Community Engagement Plan.....</b>	<b>563</b>
<b>3</b>	<b>LPACC Engagement List - Phase 1.....</b>	<b>567</b>

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# Review of the Latrobe Performing Arts and Convention Centre Feasibility Study and Business Case

Prepared for  
Latrobe City Council

Date  
31 March 2015



Geografia Pty Ltd  
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Latrobe PACC Review



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## Executive Summary

As eastern Victoria's only regional centre, there is a sound case for Latrobe City hosting a regional performing arts and convention centre; both to meet growing local demand and to stimulate new events and activities. The facility format (broadly as scoped in earlier work) will cost in the order of \$17m to build and to be able to meet expectations it will require a net increase in the annual Council subsidy to the performing arts portfolio of between \$390,000 and \$700,000 per year (on 2014-15 expenditure). This subsidy range will bring Latrobe City up into the mid-range for regional cities.

There are still decisions to be made with respect to the ongoing use of all of Latrobe City's facilities, which will impact on total costs. The cost (and impact) differences between the two sites of Morwell and Traralgon are minor. However, best practice performing arts planning favours the Traralgon site.

A successful funding application to State or Commonwealth is very likely to depend on the preparation of a robust business case for the final site/design. This will need to examine demand and functionality in more detail than has been done previously, particularly for convention and events activity. It will also need to carefully consider how the facility will complement, rather than compete with, other venues in Gippsland.

- This report was commissioned to review the findings of the 2009 Feasibility Study and 2012 Morwell Business Case that have previously supported the development of a performing arts and convention centre. It considers the relative merits of the two preferred sites previously identified (Traralgon and Morwell); updates costs; and includes the findings of community and stakeholder consultation undertaken during February and March 2015.
- Current analysis supports the earlier findings that there is a greater level of demand for the performing arts in Latrobe City, and surrounding areas, than is currently being met by existing venues. Three growth scenarios have been identified for planning purposes: conservative, mid-range and ambitious, with a small difference in audience size envisaged between the two sites (in the order of 2%)



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- Demand for a convention centre is more difficult to substantiate although it is likely that demographic trends will support a reliable revenue stream from small to medium sized functions. Properly managed, this should not compromise the core delivery of the performing arts program and this 'mixed use' is a proven business model elsewhere. Beyond this, it may be appropriate to consider the feasibility of a dedicated, standalone convention and conference centre that could service the whole of the Gippsland region for the longer term.
- Functional gaps remain in the existing performing arts facilities and this is limiting use, notably by commercial hirers. Ideally, the Arts and Culture Strategy should feed into a Master Plan for all of Latrobe City's performing arts facilities.
- The proposed scale of the main theatre, with a 500-seat capacity, aligns with existing venues and is consistent with regional performing arts facilities built in recent years, considering relative populations and catchment areas. It is vital, however, that the final specifications recognise the need to build complementary venues across the region and not replicate similar, nearby facilities in Sale and Warragul.
- When deciding the final location, the Traralgon "in town" site is more likely to stimulate wider economic and social benefits and less risky than the "edge of town" location in Morwell. It is reasonable to assume that the Traralgon site is also the preferred site for key potential funders of the project.
- Cost plans have been updated for both sites assuming a tender date of 2017 and an opening year of 2019/20. Total costs are broadly similar for both sites, estimated at almost \$17 million, an increase of approximately 40% since 2009, attributable to both price and scope changes, some which need confirmation during the course of further business case, or Master Plan, development.
- The updated cost plans and financial forecasts assume that Kernot Hall will be at least partially refurbished if the new theatre is sited in Traralgon, and that the full venue suite would continue to be managed on a portfolio basis across the City.
- Other costs for the Traralgon site that were not included in the 2012 study have now been incorporated but need further confirmation. Particularly critical is the future use of the existing site of the Latrobe Performing Arts Centre in Traralgon. Further consideration should be given to options to realise value in this existing site and whether this could be used to assist the funding of the overall project.
- A strategic approach to programming will be required in the new venue. This will need to strike a balance between the risks and opportunities of: self-programming; co-presenting; and providing a venue for community and commercial hire. Management will need to maintain strong arts networks and continue to develop regional collaboration. Given the scale of the proposed venue, it will be critical to integrate the management of performances and functions and to attract the right skill mix, particularly in new areas of operations such as the management of catering and building service contracts.

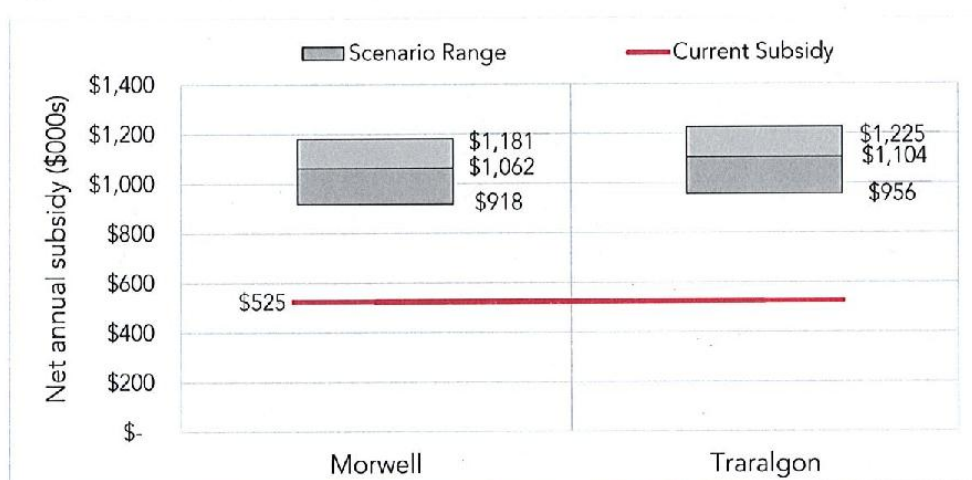


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- The review confirms earlier findings, and general industry experience, that a new facility will demand a *net increase* in total arts subsidisation by the Council, in the order of \$430,000 to \$700,000 per annum (depending on the scenario) if the Traralgon site is chosen.

Figure A Change in Net Annual Subsidy (\$000s/annum)



- Council's current subsidisation of overall performing arts activity per Latrobe City resident, is at the low end of subsidy levels amongst regional cities. This suggests there is an opportunity to increase audience sizes through more investment in both facilities and programs.
- Although some comparable performing arts venues have succeeded in attracting private sector support for new venues, this might be limited in the future given low levels of expected economic growth. However, there may be the prospect of support from less obvious public and private sector organisations, including the education and health sectors interested in developing strategic community partnerships.
- In summary, this review has confirmed that there is a need to expand and enhance the provision of performing arts facilities in Latrobe City. Once the criteria considered in this review are taken into account, the Traralgon option presents the most appropriate site, particularly in the context of views of potential funders and the experience of the sector as a whole. However, there are gaps in the evidence in support of funding the development of the facility as specified in the original work, particularly in view of changing conditions in the wider region. A set of recommendations (Section 10) propose the way forward on this project.



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## 1.0 Introduction

As eastern Victoria's main regional centre, there is a strong case for Latrobe City hosting a regional performing arts and convention centre, both to meet growing local demand and to attract new events and activities, which are central to the City's tourism opportunities.

Latrobe Council resolved to review the 2009 Latrobe Performing Arts and Convention Centre LPACC Feasibility Study ("the Feasibility Study") and the 2012 Morwell LPACC business case ("the Morwell Business Case") in expectation of funding applications to State and Federal Governments to support the development of a new facility. This report reviews the feasibility of the options outlined in the 2009 Feasibility Study (i.e. a facility in either Traralgon or Morwell) and draws upon the 2012 Business Case for additional analysis and material, where relevant. It considers:

- Community sentiment (drawn from focus groups, public listening posts, one-on-one stakeholder discussions and an online survey)
- The optimal location for the facility;
- Capital and operational costs;
- The optimal business model;
- Site constraints;
- Potential joint ventures or naming rights; and
- A review of basic concept designs and footprint.

This report also considers options and makes recommendations with respect to the next steps.



## 2.0 Context

The context for the development of the Latrobe Performing Arts and Convention Centre (LPACC) has been discussed in detail in the earlier work. This section updates the information where there has been a substantive change in conditions.

### 2.1 The strategic context

There is a strong policy basis for the provision of a major performing arts and convention/function facility in Latrobe City. Specifically:

- Latrobe City is recognised by State Government as the regional city servicing the entirety of eastern Victoria, and requiring regional-scale facilities;
- The Gippsland Regional Growth Plan (RGP) recognises that *“Access to art galleries, performing arts centres and major sports facilities is important to meet the needs of a regional community to help provide more diverse cultural experiences, and to attract and retain a broader range of social groups.”* (p68). It is also important to note that the RGP goes on to say: *“Planning and programming of activities at these facilities needs to be coordinated, providing tourists and residents with a more diverse offer that encourages extended visits.”* (DTPLI, 2014: 68);
- Latrobe City’s Community Vision (Latrobe 2026), envisages an increase in the number of arts and cultural facilities in the region and aspires to ensure cultural facilities and events are accessible for all people. Moreover, it is acknowledged that the number of major and community events should be increased to reflect Latrobe’s position relative to other regional centres. The Vision’s objectives are also reflected in the Council Plan;
- Destination Gippsland’s Gippsland Business Events and Conference Market Study endorses the development of an integrated performing arts and convention centre in Latrobe City to support the growth in expected demand for conventions and business functions in the region; and
- The City’s Economic Sustainability Strategy aligns with the Destination Gippsland study, supporting the development of the business tourism market through the provision of a conference centre and accommodation.

In addition to this, the expected population growth in the region warrants further investment in cultural facilities and services. This is broadly acknowledged by the State Government, as is the fact that Latrobe City has also fallen behind other regional cities, and some smaller cities, in its level of investment.





## 2.2 Community and stakeholder sentiment

Community and stakeholder consultation for this review included focus groups, listening posts, one-on-one interviews, and an online survey. Broadly speaking the views expressed matched those raised in earlier studies. The summary below concentrates on additional information provided and/or confirmation of earlier views and is organised into the main themes discussed.

### *Existing infrastructure is inadequate*

- Most stakeholders (e.g. performing arts groups, school groups, Creative Gippsland and Council representatives) noted that none of the existing facilities were purpose-built performance/conference spaces.
- The most significant problems cited were the limited dressing room and backstage space; poor seating (in terms of safety, access and comfort); and insufficient maintenance. Overall, there was consensus that the existing venues are not adequate to continue supporting high quality events.
- There have been some refurbishments since 2012, notably in the LPAC bar area and in some lighting and communications infrastructure across all sites, but this has not substantially enhanced functionality.

### *Recent investment in other facilities has changed demand*

- Demand from schools has decreased since the 2009 Federal Government stimulus spending, which funded the construction of school-based and relatively well-equipped performing arts spaces (e.g. the McDonald Road Auditorium in Morwell).
- School venues do not have professional venue management staff and can suffer conflict of use issues, but they are viable alternatives for community use and are often promoted as such under the schools' charters. For example, the Moe Eisteddfod has recently moved from the Council-run Moe Town Hall to the Lowanna College Auditorium in Newborough.

### *Community performing arts groups want better facilities*

- Community performing arts groups are not seeking additional auditoria capacity, but rather, more versatile and better-maintained facilities. Many groups said they already felt 'priced out' of Council facilities and had sought alternative locations.
- Community performing arts groups had, however, little realisation that they may need to pay more for the additional functionality that new facilities would provide.

### *Convention centre providing thrust to the project*

- There was general optimism that the incorporation of convention/conference centre services in the proposal had the potential to attract significant revenue from outside Latrobe City as result of:
  - perceived growth in the conference sector;
  - limited alternative provision to the east of Melbourne; and



- confidence that, with effective and targeted promotion, there is a real opportunity to attract events and conferences to Latrobe City.
- The flat floor venue at Federation University in Churchill, built in 2009, is being used for larger events. Other than this, there have been few material developments in events and conference infrastructure in recent years and there are still limited facilities in the wider region.

### ***Broader (listening post) community comments***

- The changing population in Latrobe, including a growing multicultural population, is raising expectations about access to better cultural facilities.
- As a regional centre, Latrobe should offer facilities at least as good as Sale and Warragul. This is currently not the case.
- Refurbishing existing facilities may be a waste of money as they are not fit for purpose.

### ***No change in views on the best location***

- The position of stakeholders on the relative merits of Traralgon and Morwell has not changed. For example, Advance Morwell maintains the views expressed previously in support of the Morwell option. Traralgon residents and stakeholders generally support the Traralgon option.
- It was acknowledged that both sites have access issues. Morwell is very dependent on car transport and Traralgon can suffer from a shortage of parking.

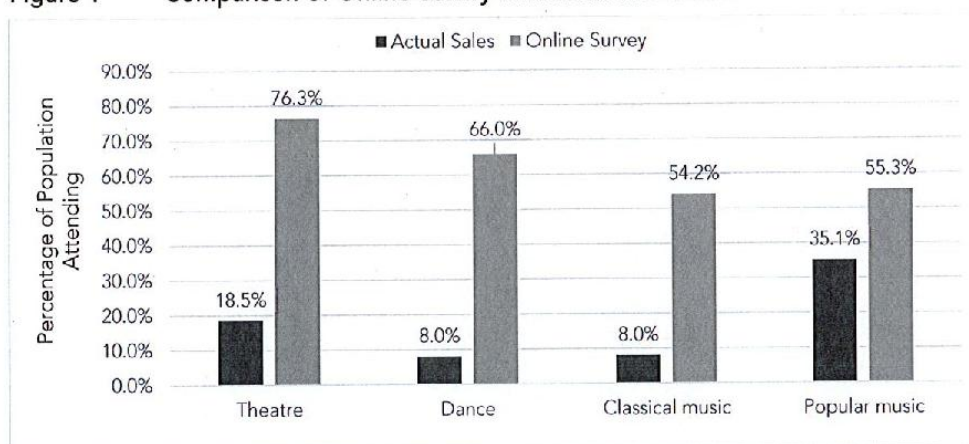
## **2.3 Online survey results**

- As Figure 1 shows, the online survey did not return a statistically significant sample from the Latrobe City population. As participation rates amongst survey respondents for some art forms were up to eight times higher than for the general population, it is reasonable to say that the results reflect the views of those Latrobe City residents who are already highly arts-engaged.
- A more representative sample of the community could be obtained via a telephone survey. This could consider some of the issues not explicitly covered in the online survey, or in the community consultation, including the relative merits of the two sites in Traralgon and Morwell, and willingness to pay for enhanced facilities. This could provide useful evidence for the further development of a business case.
- On the basis that the survey reflects the views of residents who regularly attend the various cultural facilities in Latrobe, the key findings, from 601 respondents are:
  - 533 of the 601 respondents in favour of a new facility (89%). 'Being able to put on shows not available at existing facilities' was the main reason for their support (94% of the respondents). The next main reason was 'adding value to the local economy' (334 respondents, or 65%)
  - Of the 56 who do not support the project, 41 (73%) say there are more important needs for Latrobe and 35 respondents (63%) say the City is already well provisioned with performing arts spaces



- When asked whether they would support a refurbishment of existing facilities, of the 588 who answered, 352 (60%) said yes
- 547 respondents (91%) said they had attended an arts and cultural performance in the last 12 months (close to six times the average for regional Victoria)
- The main reason for lack of attendance is 'not being interested in the type of performance available' (47% of non-attendees). This is followed by the 'venue not being appropriate' (35% of non-attendees)
- Respondents believe the most important factor Council should consider in deciding to develop a facility was convenience and availability of parking (93% said this was 'very' or 'somewhat important'). This was followed by 527 respondents citing the needs of the performing arts community (92%).

Figure 1 Comparison of Online Survey and Resident Profiles



Source: Latrobe City, 2015; Geografia, 2015

## 2.4 Industry context

One-on-one interviews were undertaken with representatives of relevant peak bodies and managers of other performing arts venues in regional Victoria<sup>1</sup>, some of which have recently completed major building projects. The key themes from these discussions were:

- **Collaboration** is increasingly part of the operation of regional facilities. This includes with producers and other venues. The recently formed Theatre Network Gippsland is an example of how previously informal arrangements are becoming more structured.
- **Funding of new facilities** is now often considered in light of other facilities in the region. Avoiding duplication and ensuring that a good range of performance spaces were available were key considerations in the funding and development of the

<sup>1</sup> A list of stakeholders was provided by Council for this exercise.



Wangaratta Performing Arts Centre and the Cube Wodonga, both of which now operate under a formal MOU with other theatres in Albury.

- **Touring** is required of many State or federally subsidised companies yet funds for touring are limited and are perceived to have fallen. As a result, shows are increasingly being packaged for tour in a reduced version from that seen on the main stage. This can lead to a sense that regional venues are presenting a 'lesser' product. On the other hand, this means that the technical demands of touring companies are lower and they are prepared to work with the less well-equipped venues to deliver a tailored product. Digital staging (i.e. less reliance on physical scenery and props) is also increasing and theatres need to be able to respond to this expectation.
- **Commercial product** is available at a price but generally focuses on comedy, physical theatre, popular music (including 'tribute shows'), and children's theatre. Producers are cost conscious and require high quality, responsive facilities of a relatively homogenous standard.
- **Audiences for regional performing arts venues** are built and developed through strong, diverse and well-funded programming, combined with community use and commercial hires. In many cases this will be more critical to the achievement of outcomes than the building itself, as long as there are no material service shortfalls.
- **Tourists** are not a reliable audience base for the performing arts, even in larger regional cities such as Ballarat, Bendigo and Geelong. Audiences are usually drawn from the immediate locality and proximate catchment area.
- **Animation of performance venues** through active day-time use is considered an essential part of building community engagement. A vibrant and accessible street frontage and the use of foyer spaces for exhibitions and the provision of good café facilities were all seen as important elements of a strong activation strategy.
- **Functions and conferences** are now a core part of the business of any regional theatre and the technical and service demands of hirers are growing, particularly for audio visual and onsite catering. Any conference business that is routinely expecting numbers in excess of 400 visitors is unlikely to be well served by a performing arts venue and a separate facility should be considered. The availability of well-located and good quality hotel accommodation, restaurants and entertainment are now critical to the success of any large conference/events facility.
- **Funding applications** for new venues are scrutinised rigorously to ensure that the business case is well made and soundly based. In particular, funders will look for evidence that the broader regional provision has been considered and that demand and revenue projections are reasonable.



## 3.0 Understanding Demand

Analysis supports the findings of the Feasibility Study: that there is a greater level of demand for performing arts in Latrobe City and surrounding areas than is currently being met by existing venues.

### 3.1 The market for cultural attendance

Performing arts venues have often been constructed without due consideration of the actual audience demand, or the availability of sufficient programming content. In times when the competition for capital funds is intense this is not a prudent approach and can leave a community with an expensive facility that is not meeting community needs. This is well summarised in *Oh You Beautiful Stage*, the core resource for those in Victoria planning new performances spaces:

*"The size of a theatre should be determined by market analysis identifying an audience size suitable for the performing arts 'market' that exists or can be expected to develop in the local community over the life of the facility, assuming energetic management."* (VAPAC, 2012)

Latrobe City has, to date, attached an appropriate level of importance to estimating demand, particularly in respect of performance attendees. The Feasibility Study found that *"the number of performance experiences ... in Latrobe is significantly less than the demand for performance experiences"*.

Our analysis assumes there is a market for arts performance in a catchment area that extends beyond Latrobe City. This 'market size' is defined as the total number of attendances by residents in the catchment area to all arts performances, whether in Latrobe or elsewhere, and in both public and commercial venues. It is derived from a combination of ticket sales, the ABS cultural participation survey, and population growth projections for the catchment area<sup>2</sup> (Figure 2). Scenarios both with and without the LPACC are shown and it is assumed the new venue triggers greater interest in attending arts events, enhanced by an active audience development program.

<sup>2</sup> Details on how it was calculated are provided in Appendix 1.



Figure 2 Total Estimated (mean) Market Demand

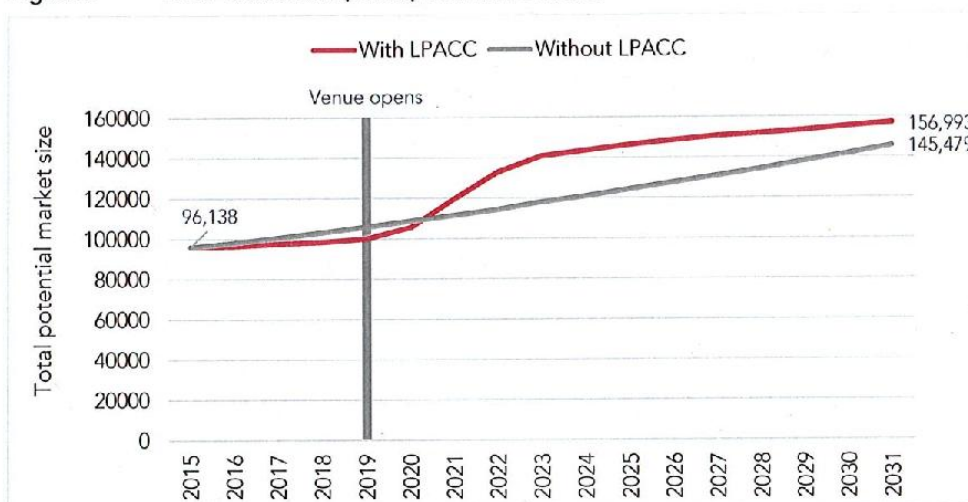


Figure 2 shows the estimated number of individual visits to arts events from residents in the assumed LPACC catchment area. The chart only shows mean values. The full probability ranges have been used in the analysis and the chart showing total potential market size is provided in Appendix 1. Source: Geografia, 2015

The assumption that there is a much greater level of demand for arts and cultural performances in Latrobe than is currently being met (and measured through ticket sales) is supported by the Feasibility Study and, indirectly, by other data. For example, around 23% of ticket sales to selected 2014 musical performances at the Warragul Performing Arts Centre were to Latrobe residents<sup>3</sup>. This suggests there is scope, at least, for improving the capacity to host musical performances in Latrobe City.

### 3.2 Growing Latrobe City's share

A combination of new venue and audience development are assumed to facilitate Latrobe City's capture of a greater share of the total market under three different scenarios:

1. A **conservative** growth rate averaging 5% per annum (albeit with a spike in the early years of the new venue). This leads to approximately 15% of total demand being captured by 2023 (peaking at 17% in 2031). This broadly matches the recent growth in ticket sales for Latrobe City venues (which showed total growth of approximately 25% in the five years from 2009 to 2014).
2. A **mid-range** estimate which assumes an average growth rate of 7% per annum, leading to 22% of the total market demand being met in the Latrobe venues by 2023.
3. An **ambitious** scenario which assumes an average growth rate of 8.5% per annum, leading to 32% of the total market demand being met by Latrobe venues by 2023.

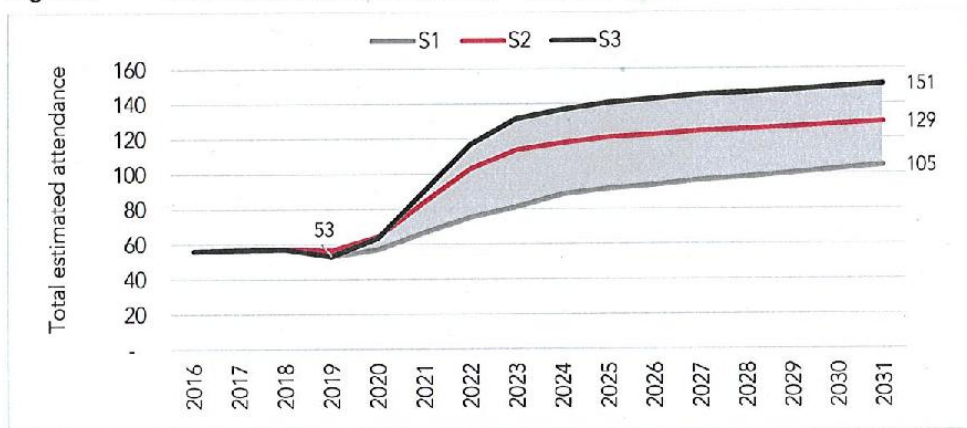
<sup>3</sup> This information was provided by Baw Baw Shire Council.



### The variation in demand between Morwell and Traralgon

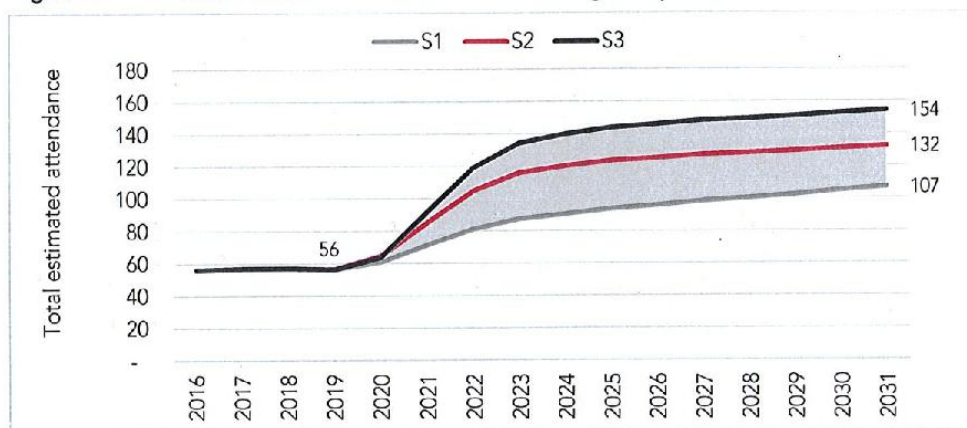
There is a slight variation in demand projections for the Traralgon and Morwell options. The assumption is that a Traralgon venue generates between 1.8-2.2% more visitations. This is mostly due to the notably higher propensity for arts and cultural activities amongst Traralgon residents. Details of how this was calculated are provided in Appendix 1. Total projected demand (performances and attendance) under the three scenarios for each site option is shown in Figure 3 to Figure 6. They include the three scenarios (S1 to S3) with the understanding that the likely outcome will fall somewhere between these figures.

Figure 3 Total Estimated Performances – Morwell Option



Source: Geografia, 2015

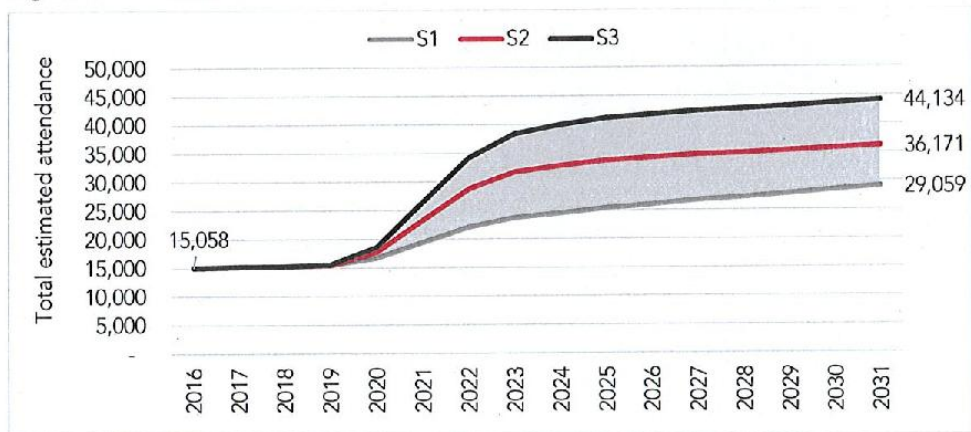
Figure 4 Total Estimated Performances – Traralgon Option



Source: Geografia, 2015

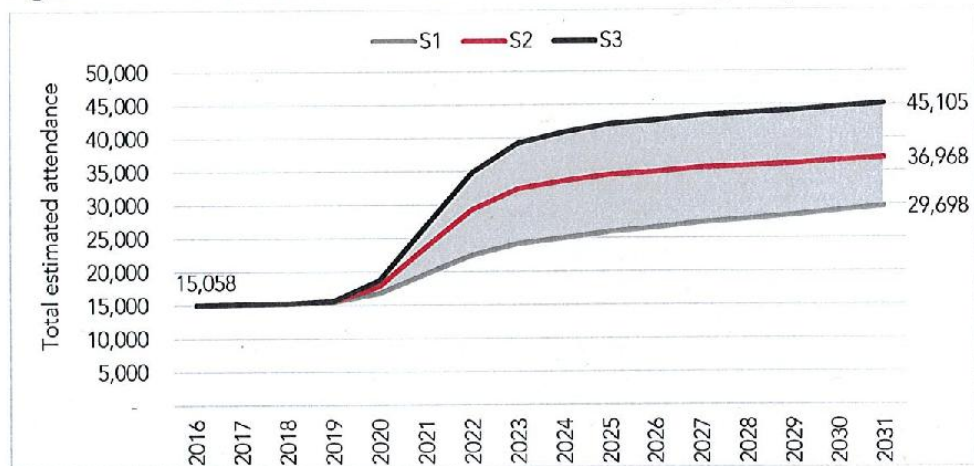


Figure 5 Total Estimated Performance Attendance – Morwell Option



Source: Geografia, 2015

Figure 6 Total Estimated Performance Attendance – Traralgon Option



Source: Geografia, 2015

### 3.3 Uncertain demand for functions and events

Quantifying the potential demand for non-performance functions is subject to a high degree of uncertainty. Most events are either community meetings or commercial events where venues are hired on an *ad hoc* basis and attendance figures are not always available. However, Latrobe City's hire rates and the research undertaken by Destination Gippsland





(2013) provide some measures which have been used to estimate this activity for Latrobe City. Specifically:

- Latrobe city venues are currently accommodating about 160 functions and events annually, with an average of 190 attendees<sup>4</sup>;
- The majority of these bookings (~80%) are community meetings;
- Most events in Gippsland are likely to remain small (under 120 attendees);
- Most functions are one-day or less in duration;
- Expenditure is \$150-\$300 per attendee for conference packages, with an additional \$150-\$200 for accommodation; and
- The market expectation is that overall function demand will slow and that activity in Gippsland will follow this trend. The majority of survey respondents to the Destination Gippsland study (60%) said they would be unlikely to run any business events or conferences in Gippsland in the next few years.

While prospects for increasing the number of events is modest (particularly as Latrobe City is more than 1.5 hours from Melbourne), it is recognised that a combination of interventions may help to drive growth. This includes improving accommodation, cultural opportunities and transport services. Additionally, as most demand is from the local area, underlying population growth is likely to stimulate some increase in activity.

It is worth bearing in mind that there is currently no developed business case for conference/events industry in the region. Moreover, several points were made in the Destination Gippsland study that need to be considered:

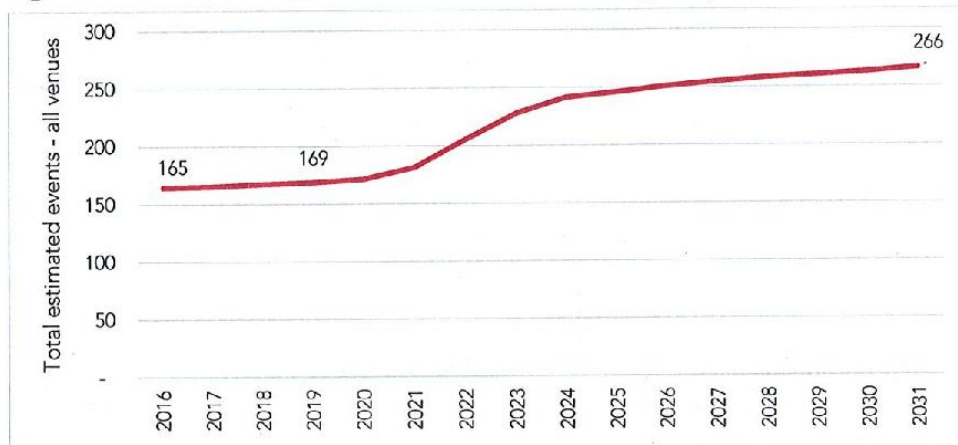
- Dedicated conference facilities are more suitable than multipurpose venues;
- Demand for conference destinations is greater in iconic locations;
- The Traralgon site would be considered reasonably suitable for a new venue as it is in the centre of major business centres with a large population base;
- Demand is likely to be strongest for venues that can cater for 150 – 300 delegates;
- High quality, flexible accommodation, catering and technology are essential; and
- Ancillary activities are necessary attractors (e.g. golf, swimming).

With this in mind, events demand has been modelled conservatively with growth tied to regional population growth. Figure 7 shows the mean trajectory of events for all Latrobe City venues to 2031. The difference between the options for the Morwell and Traralgon sites is negligible.

<sup>4</sup> This is heavily skewed by one or two events at Kernot Hall with large numbers as the majority of events are small, with fewer than 20 attendees.



Figure 7 Total Event Estimates – Morwell and Traralgon Options



Source: Geografia, 2015

Forecasts for events and functions have been based on findings from the 2013 Destination Gippsland study and growth constrained to match that of the regional population increase. As convention and function activity is sensitive to broader economic conditions, it has been assumed that prospects over the short-medium term are uncertain, so while the model calculates a significant increase post the opening of the new facility, growth thereafter is modest.

Given the high degree of uncertainty about this sector's appetite for growth, it may be worthwhile undertaking a survey of regional businesses to gauge interest and/or plans. This may reveal untapped potential for event growth.



## 4.0 The Building and its Location

As identified by the previous two studies, the 2015 review confirms that gaps remain in existing performing arts facilities in Latrobe City. When deciding the location of a mixed-use performing arts venue of the scale currently being considered, the Traralgon “in town” site is very likely to be more successful in building an audience and stimulating local economic activity than the “edge of town” location in Morwell.

### 4.1 Current provision

The current performing arts provision in Latrobe City is summarised in Table 1 has not changed significantly since 2009, although there has been a steady program of modest refurbishments.

**Table 1 Current Performing Arts Provision**

Location	Description
Traralgon	Latrobe Performing Arts Centre (LPAC) comprising the Little Theatre (227 seats, raked auditorium, elevated stage and part fly tower); Town Hall Theatre (401 seats, retractable seating, elevated stage, no fly tower); associated backstage, front of house and administrative areas
Morwell	Kernot Hall comprising the Main Hall (864 seats, elevated stage, flat floor auditorium, no fly tower) and Foyer (function space for approx. 100 people); associated backstage, front of house and commercial kitchen
Moe	Moe Town Hall (402 seats, elevated stage, flat floor auditorium, no fly tower); associated backstage, front of house and commercial kitchen
Other	Various other sites in Latrobe City are managed through the performing arts department but these are not considered material in terms of capacity or usage

### 4.2 Gaps in current provision

The Feasibility Study and Morwell Business Case identified several gaps in the then current provision, both in terms of responding to the potential requirements of commercial and community hirers, and of supporting a varied range of self-programmed events. These gaps have largely been validated in this review.

It must be emphasised, however, that these gaps have not been confirmed through a rigorous market analysis (particularly in relation to commercial function demand), or as part of a wider Master Plan for Latrobe City’s arts facilities. The City is currently developing an



Arts and Culture Strategy which should be used to underpin any potential investment in new facilities and, indeed, the development of a Master Plan.

The Gippsland region includes facilities that provide some of the functionality perceived to be missing in Latrobe City (notably at Sale and Warragul). Therefore, it would be advisable for any Master Plan to take these facilities, and their current development plans, into account. This will ensure that the regional collaboration, which is a key feature of current programming, is mirrored in facility development. It is likely that this approach would be encouraged by both Creative Victoria and RDV and was a key driver behind the recent development of the Cube at Wodonga. Here it was ensured that the new facility complemented, rather than replicated, existing facilities in Albury and Wangaratta.

A good illustration of this is that one performance space will rarely meet the varying needs of classical music, contemporary music, and speech (unless variable acoustics are installed, which come at a significant cost). Across a wider region, however, a portfolio approach to venue management could achieve a range of acoustic provision, meeting audience demand without compromising the acoustics in any one venue.

Table 2 summarises the current main gaps in the Latrobe City provision with an outline of their key perceived consequences.

**Table 2 Key Gaps in Current Provision**

Gap	Consequence
Auditoria	The Town Hall Theatre's capacity of 401 is below that which is considered viable for regional theatres (>500, VAPAC 2012) and, as a result, the venue is unattractive for commercial touring and co-presentations. Kernot Hall, as currently configured, is only suitable for certain physical theatre, children's and musical performances which use a flat floor auditorium
Seating	The Town Hall Theatre's retractable seating, whilst flexible, is not favoured by some community groups and older audiences
Orchestra Pit	No venue has an orchestra pit considered desirable for some community use and for choirs with orchestras. A pit which can be raised or lowered also allows the stage apron to expand or contract providing greater flexibility in staging and the opportunity to change the feel of the auditorium
Stage Elevation	All the current stages are elevated and although a flat floor stage can be created in the Town Hall Theatre (by retracting the seating) and the stage itself can be used as a shared audience and performance space, these opportunities are limited. As a result, there is limited provision for the programming of more experimental, intimate or workshop-based theatre
Backstage	None of the current spaces have adequate backstage facilities; wings are narrow (or non-existent); and there is limited capability to fly scenery and store props and equipment. Dressing rooms have poor amenity although are adequate in size for all but the largest community users. Taken together, these drawbacks limit both commercial touring opportunities and also the range of programmed content



Gap	Consequence
Heating, ventilation and air-conditioning (HVAC)	This is not considered universally effective across all venues for all periods of the year, particularly the warmer months. This has an adverse impact on audience, and performer, amenity
Acoustics	The quality is mixed across the facilities and, in general, not of the quality to support high quality classical music performance. It should, however, be noted that recital-hall quality is rarely found outside capital city venues
Function Spaces	Whilst Kernot Hall is suitable for some large-scale events and functions, overall there is limited capacity to service receptions, private celebrations, meetings, seminars, training events and small conferences with 20-500 attendees. It should be noted that no detailed demand analysis of this market has been completed
Catering Facilities	Catering provision is limited with no re-heat facilities, and no commercial kitchen at LPAC in Traralgon. A viable functions business requires investment in these areas
Retail Catering	There is no permanent café facility in any of the venues and, as a result, there is no opportunity to generate revenue or provide a useful vehicle for day-time animation of the performance spaces
Foyer Spaces	Apart from Kernot Hall, these are generally limited, restricting audience circulation and the potential to use these spaces both as a revenue-generator (through function hires and bar sales during performances) and an exhibition space to encourage day-time visitors

The above analysis assumes that the parallel development of a functions and events business is a core part of a performing arts facility and that this 'mixed-use' model is practically achievable. This is certainly supported by the experience of other Victorian regional venues and the vast majority of facilities developed in the last decade have included this capability in their scope<sup>5</sup>. A recent survey of attendees in Victorian performing arts venues found that non-performance attendees made up between 13% and 81% of total attendees, averaging 40% (VAPAC 2010).

This reflects not only the imperative to diversify and capture different revenue streams, but also the fact that functions attract a broader range of the community, bringing a welcome animation of spaces during the day time. A survey by VAPAC found that of the 29,026 events run by those responding, 17% were conferences and seminars, 17% were community or private functions, 58% were workshops or classes, and 8% related to other events (VAPAC 2013).

<sup>5</sup> This is different from the model in metropolitan facilities where the core purpose is invariably the performance capability and the use of spaces for functions and events is seen as pragmatic leverage of unused assets to generate additional revenue, as long as this does not conflict with the primary use. This reflects the fact that metropolitan sites are clearly in competition with a highly developed and sophisticated conference, convention and events industry.



This mix illustrates that large-scale conventions and expos are not the core business of regional performing arts facilities but that conferences which can be accommodated within existing auditoria and auxiliary spaces are an important part of activity.

### 4.3 Potential locations and site constraints

Having confirmed the need for a new facility to address the gaps identified in the previous section, the Feasibility Study reviewed a range of possible sites in Latrobe City. Of these, only the sites in Traralgon (corner of Kay and Church streets) and Morwell (adjacent to the current Kernot Hall site) were considered worthy of further consideration. This review has not identified any other sites which should also be considered. In both cases it was assumed that the land was readily available for the potential redevelopment and was free of any inherent issues such as site contamination or asbestos in existing buildings.

The Feasibility Study did not make a clear recommendation as to the preferred site and the Council subsequently decided to proceed with the Morwell Site. For the purposes of this review both sites are being reconsidered. Table 3 provides a summary of some of the key criteria that should be taken into account when assessing the location of a mixed-use performing arts venue. This has been developed from industry guidance (VAPAC 2012), the issues addressed as part of the Feasibility Study and Morwell Business Case, and the practical experience of industry practitioners interviewed for this study. The conclusions are not definitive but should be considered as part of a broader discussion of the relative merits and demerits of each option across a range of criteria (see Section 9).

Table 3 Key Location Criteria (Morwell and Traralgon Sites)

Location Criteria	Morwell	Traralgon
<b>Performing Arts Venue Key Criteria</b>		
Street frontage, visibility & marketing presence	L	H
Potential for daytime animation including foot-traffic	L	H
Co-location with other day and night-time activities	L	H
Adequate loading access and standing space for trucks	H	S
Viable café/restaurant site for animation and revenue generation	L	S
Active local performance groups (amateur and professional)	L	S
Local visitor catchment >20,000	S <sup>6</sup>	S
Extended visitor catchment >100,000 (within 1 hour)	S	S
<b>Functions Venue Key Criteria</b>		
Access to main roads/highway	H	S

<sup>6</sup> Whilst our demand analysis indicated that Traralgon residents were more willing travellers to events in Morwell than vice versa, the difference is considered immaterial in determining the catchment area although it has been factored into the revenue projections in Section 7 and the computation of economic impact.

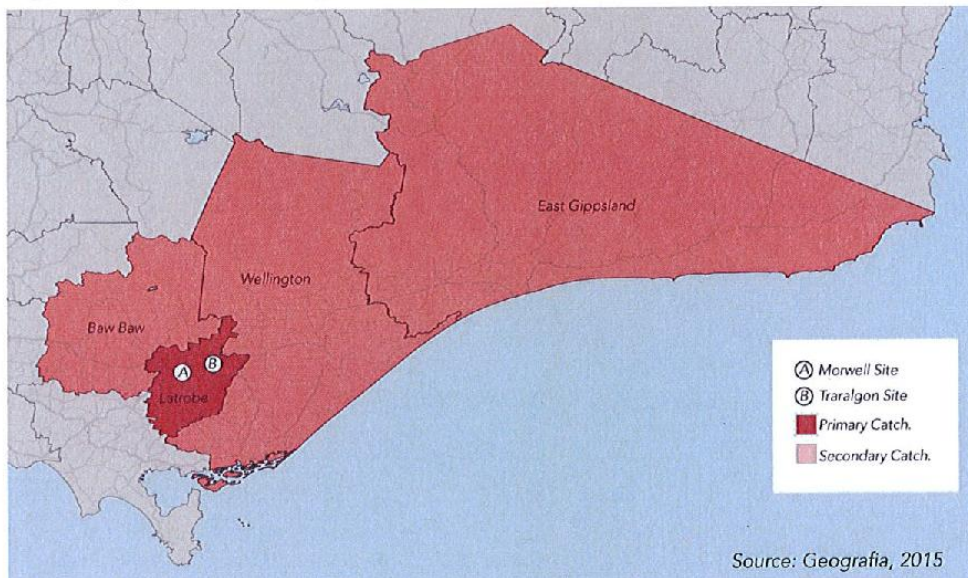


Location Criteria	Morwell	Traralgon
Reliable telecommunications services	S	S
Convenient accommodation and non-venue F&B provision	L	S
Proximity to tourism attractions	S	L
<b>Both Performing Arts and Functions Venue</b>		
Reliable public transport, day and night	L	L
Convenient and adequate car parking	H	S
Safe and secure for visitors and their property	L	S
Attractive local amenity and outlook	H	S
Capable of future expansion	H	L

Key: H – Highly Suitable; S – Suitable; L – Less Suitable

Some of consultation comments made reference to the fact that the Morwell site is at the geographical centre of Latrobe City. However, it is important to take into account the broader catchment area, for both performance and function attendees. Current box office data indicates that most of the non-Latrobe attendees (around 10%) come from Baw Baw Shire, Wellington Shire and East Gippsland. This means Traralgon and Morwell are in broadly similar geographic position in respect of their potential markets (Figure 8).

Figure 8 LPACC Primary Catchment Area



Overall, the Morwell option has the characteristics of an 'edge of town' site and Traralgon, an 'in town' site. While successful venues (for both performance and functions) can be run in both locations, industry experience indicates that there is more risk with 'edge of town' sites and a need for particularly active programming and promotion to maximise community interest and use. This is certainly consistent with the views of both Creative Victoria and RDV, as expressed during current and previous consultation. **On this basis, Traralgon should be considered the preferred site for the proposed construction of a new mixed-use performing arts facility.** That said, the Morwell site does have relative strengths in access and scale and provides greater potential for future expansion.

It is very unlikely that, in the foreseeable future and based on current demographic projections, Latrobe City would have the need for a mixed-use performance facility larger than the 500-seat theatre currently proposed (see Section 5.1). If, however, a separate case were to be made for developing a larger dedicated event and convention centre (i.e. > 1,000 seats), the more expansive Morwell site, with the existing Kernot Hall infrastructure, good parking, and proximity to Gippsland TAFE, would be clearly be more suitable<sup>7</sup>.

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<sup>7</sup> An example of such need is the forthcoming AusTimber conference which is expected to attract over 15,000 delegates to Latrobe City with events spread across many sites and sourced from neighbouring Council areas, as Latrobe City's own hotel capacity of around 3,000 beds is insufficient to meet this demand. This also illustrates the need for a large-scale events strategy to take into account wider issues of amenity, accommodation and access.





## 5.0 Capital Costs

Cost plans have been updated for both sites assuming a tender date of 2017 and an opening year of 2019/20. Total costs are broadly similar for both sites, estimated at almost \$17 million, an increase of approximately 40% since 2009.

### 5.1 Current designs & footprints

The Feasibility Study provided indicative designs (Appendix 2) for a new mixed-use performing arts space at the two preferred sites, and related cost plans. The Morwell cost plan was subsequently updated in 2012 and, at that time, the scope was extended to include additional façade works to Kernot Hall and the inclusion of a boardroom and re-heat kitchen in the new building on that site.

The current scope has also been extended to make an allowance for a commercial kitchen on the Traralgon site which appears to have been omitted from the original design but was referred to as an omission in the Feasibility Study. None of these changes are reflected in the designs in Appendix 2, although they have been reflected in the updated cost plans.

The Feasibility Study commented that, in order to provide car parking on the Traralgon site, it would be necessary to demolish the existing LPAC building, but this was not included in the cost plan. This has, however, been included in the updated cost plan.

These key elements of the two designs are summarised in Table 4. Both seek to address the gaps in provision identified in Table 2, although it is not entirely clear whether sufficient provision has been made for a flexible, small-scale flat floor performance space or whether this could be accommodated in the proposed Function Room. This should be revisited at a future Business Case stage.

The 500-seat specification for the main theatre is consistent with the Feasibility Study's finding that average seating capacity across 20 comparable venues was 450. Since then, two major developments have been completed: Wangaratta Performing Arts Centre with 520 seats and the Cube Wodonga with 400 seats. April 2015 will see the opening of a new 1,000 seat venue in Bendigo, the Ulumbarra Theatre. This is consistent with the provision in Geelong and Ballarat and reflects the fact that these are Victoria's three largest regional population centres, with significant catchment areas for performances and functions.

It should be noted that the original Traralgon design did not include any allowance for the refurbishment of the Kernot Hall as it is on a different site. That said, if Kernot Hall is to continue to be managed as part of the portfolio of Latrobe City venues, it is likely that some refurbishment will be needed to address the gaps identified in Section 4.



Table 4 Principal Design Elements

Key Element	Morwell Site	Traralgon Site
Main Theatre Stage	3-star proscenium arch	3-star proscenium arch
Other	Full fly tower and orchestra pit	Full fly tower and orchestra pit
Main Theatre Seating	500 on two levels, with potential to close one level	500 on two levels, with potential to close one level
Function Room	600 seats (refurbished Kernot Hall)	350 seats (no allowance for refurbishment of Kernot Hall)
Foyer Area	225 persons	100 persons
Conference Room	60 persons	60 persons
Green Room	30 persons	30 persons
Café with terrace	40 persons	40 persons
Kitchens	Café, Commercial and re-heat	Café, Commercial and re-heat
Car Parking	Per existing capacity	Created on old PAC site

## 5.2 Summary of cost plans

Theatres are very expensive to build. It was observed in the United Kingdom in the 1990s that the average cost of a theatre construction was twice as high as that for an office block. In Victoria, a 3-star proscenium theatre such as that proposed for Traralgon/Morwell can cost between \$10 and \$18 million (VAPAC, 2012). The Horsham Town Hall Redevelopment which is currently underway is expected to cost over \$18.5 million although this also includes works to the art gallery. More modest projects such as the Wangaratta Performing Arts Centre and The Cube Wodonga, neither of which included fly towers, will have lower budgets (\$8-10 million).

One of the key cost drivers is, indeed, the inclusion of a fly tower. Views on the necessity of a fly tower vary. It could be argued that this is an essential part of a regional city provision and, indeed, most of Victoria’s regional cities have a venue with a fly tower. Two recent developments, at Wangaratta and at Wodonga, have not included a fly tower on the grounds that this capability was available elsewhere in the region. It is also arguable that, with the generally reduced scale of touring and the increased potential for digital staging, the absence of a full fly tower may not unduly restrict programming. Indeed, the greatest users of the fly tower may well be local amateur groups who are based locally and have the ability to store scenery and other equipment.

*Oh You Beautiful Stage* (VAPAC 2012) supports the inclusion of a fly tower or, at the very least, the inclusion of the fly tower envelope for later fitting out or ensuring the construction of foundations and building structure can support a fly tower as a later addition. If there is no



fly tower, consideration would also need to be given to expanding the backstage area to store materials.

Quantity surveyors and construction cost consultants, Newton Kerr & Partners, were engaged to update the cost plans for Morwell and Traralgon first prepared in 2009. These are included in Appendix 3 and summarised in Table 5.

The following allowances have been made in the costs. These are considered consistent with best practice:

- Construction contingency at 4% of building costs;
- Consultant costs at 19% of building and renovation costs; and
- Equipment at 20% of building costs (the accepted rate for theatres).

**Table 5 Summary Cost Plans**

Cost Element	Morwell Site \$'000	Traralgon Site \$'000	Comments
Performing Arts Centre Building	6,819	8,423	Additional square metres of new build required at Traralgon for function space
Kernot Hall Refurbishment	2,686	0	Not included in Traralgon Cost Plan but see below
Equipment	2,443	2,443	
External Services	477	476	
External Works	880	1,108	Includes estimated cost of demolishing existing LPAC and developing a new car park
Contingency	665	623	
Consultants Fees	1,677	1,569	
Authority Fees	70	65	
Escalation	1,257	1,177	Assumes 2017 tender date
Total Cost, per Cost Plan	16,974	15,884	Included in Appendix 3
Commercial Kitchen	0	340	Equipment included above, this represents broad estimate of building cost, confirmed by Newton Kerr
Kernot Hall Refurbishment	0	500	Estimate only
Total Cost with additional terms	16,974	16,724	
2009 Cost	12,167	11,884	
Overall increase	4,807	4,840	
% increase	39%	40%	
Square metres – new build	2,165 sqm	2,674 sqm	
Square metres – refurbishment	1,696 sqm	1,696 sqm	Partial refurbishment only of Kernot Hall assumed for the Traralgon site

Source: Newton Kerr & Partners; Geografia 2015



Overall, the costs for both sites are broadly similar once:

- Some allowance is made for refurbishing Kernot Hall even if the new theatre is sited in Traralgon. This is a broad estimate only;
- The costs of demolishing LPAC and extending car parking is included in the Traralgon option; and
- A commercial kitchen is allowed for on the Traralgon site.

Although Traralgon will require a greater area of new build, the Morwell option includes an extensive refurbishment of Kernot Hall at a higher cost per square metre.

### 5.3 Indicative construction timelines

The Cost Plans assume a tender date of 2017. Table 6 provides an indicative timetable to completion assuming that a decision on the location is taken without delay and that the actual construction is consistent with the current scope. If the scope changes as a result of the completion of the Latrobe City arts and culture strategy, or as a result of responding to the recommendations of this review (Section 10), this timeline will need to be reviewed.

**Table 6 Indicative Timeline**

Phase	Length	Complete By
Complete Initial Planning, including Site Selection	1-3 months	June 2015
Functional Design Brief	2-4 months	August 2015
Business Case	2-3 months	September 2015
Confirm Funding	1-3 months	September 2015
Design and Tendering	12- 21 months	June 2017
Construction	12-24 months	June 2019
Opening Year		2019/20



## 6.0 The Business Model

A strategic approach to programming will be required to achieve attendance and revenue targets for a new venue, including striking the right balance between the risks and opportunities of self-programming, co-presenting and external venue hire. It will be important to attract staff with specific industry knowledge and skills, and ensure new business areas are appropriately resourced.

### 6.1 Portfolio approach

Latrobe City currently manages its performing arts venues centrally, sharing resources across all areas of operations. This model is well tested and there is no reason why it should not continue with the addition of a new facility. That said, it is important that those charged with the day-to-day management of a key venue are based onsite and the final plans should ensure as much co-location as possible on the new site. Performing arts facilities are complex with frequently changing usage patterns and a variety of users passing through each day. An effective management team is intimately connected with all these happenings.

Current initiatives to develop greater collaboration across the Gippsland region are vital to the success of all the venues. This could be formalised in an MOU, as has occurred in the Albury/Wodonga/Wangaratta region, and should be considered by the relevant Councils.

### 6.2 Programming model

Programming is a critical element of the success of any performing arts venue. It is important that sufficient resources are available for the new venue to invest in a diverse range of programming which meets a wide range of audience demand. To this end, the management team needs to maintain strong connections with the sector through the active membership of industry bodies. A budget should also be set to allow staff to attend relevant performances and events both in Victoria and nationally.

A program needs to balance not just audience demand but also the risks in respect of different business models. For example, commercial hires are low risk to a venue as they provide a guaranteed source of income but commercial hirers are demanding in their standards and negotiations, and the management team will need to have the skills to manage these relationships.

Own programming carries a greater risk but is generally seen as essential for growing a venue's reach, reputation and audience, and for building a sense of local pride in the venue. The most risky form of own programming is self-presentation. This risk could be mitigated



by co-presentation with a production company, and/or another venue, which might be part of the same tour.

A recent survey of Victorian performing arts centres (VAPAC 2013) found that:

- 65% of performances were under third party hire arrangements (mainly community hire) – Low Risk;
- 19% of performances were bought in – Moderate Risk; and
- 14% were self- or co-presented – High Risk.

The strategy for the new venue will need to establish parameters for each performance-type and ensure that this is consistent with the risk appetite of Council.

Recent years have seen a greater investment in programming by Latrobe City, funded through both increased Council subsidisation and grants from Creative Victoria. This need was clearly identified in the Morwell Business Plan which concluded that the then “*current programming would not meet the [Creative Victoria] criteria for recurrent programming.*”

It is very important that this investment continues, and increases, in the lead up to the opening of a new facility. This will allow audiences to be nurtured and programming to be tested, reducing risk in opening program, and increasing the likelihood that performance targets are met.

### 6.3 Managing different business streams

The proposed mixed-use venue will demand the development of the functions business as a reliable and well-serviced source of revenue. This shared model is common in other regional venues but new to Latrobe City. Larger venues may develop distinct teams servicing the performance and the functions activity. This has the advantage of specialisation and reflects that the various client groups may demand different management approaches. In any organisation, this runs the risk of creating silos and exacerbating the risk of conflicts over use.

In a relatively small venue such as that proposed for Latrobe City, it will be important to fully integrate the management of performances and functions, maximising the sharing of information whilst at the same time ensuring that specific industry knowledge and skills remain current and relevant.

It is critical that more mixed-use is supported by a reliable and highly usable booking system. Current systems will need to be assessed to confirm that they will meet this essential requirement.



## 6.4 Staffing structures

People will be key to the success of the new venue: “energetic and effective management can have much more influence on the viability and success of a venue than audience capacity” (VAPAC, 2012). Under any of the scenarios considered in the next section, the scale and complexity of the business is expected to be greater than it is at present. The number and mix of staff will need to change. This was envisaged in the Morwell Business Case and a proposed staff profile was included. This recommended an ongoing FTE of around 13.6, compared with the current level of 6.45, and acknowledged the need to expand capabilities in marketing, programming, technical operations and front of house, whilst also recognising that a larger program (and a differently configured venue) would require increased expenditure on casual staff.

The Morwell Business Case did, however, assume that the revenue productivity of each FTE would fall from around \$50,000 to around \$35,000. The scenarios in Section 7 assume that revenue productivity will, at least, be maintained at the same level as is being currently achieved. This drives, for the purpose of estimation, the total FTE required under each scenario. As a result, the number of FTE is expected to be in the range 9-12. This is lower than the Morwell Business Case which assumed, *inter alia*, the continuing operation of LPAC as a separate operation.

These are high-level staff projections, consistent with the illustrative staffing levels provided in *Oh You Beautiful Stage* (VAPAC 2012), which provides a useful guide for the industry.

## 6.5 Contract management

A new venue will demand strong skills in contract negotiation and management. The more complex, technical demands of a contemporary performance space will introduce a wider range of service and maintenance agreements which will demand skilled and effective management to ensure value for money outcomes. Any growth in commercial hire is highly dependent upon the facility maintaining its technical capability to the highest level and this, in turn, will depend upon ensuring high quality and timely services from suppliers.

The scenarios in Section 7 assume a growth in catering revenues, generated through outsourced catering contracts. The challenges of managing such contracts cannot be underestimated. It will be important to develop a commercial model that balances the commercial imperatives of the supplier and the service needs of the venue, and its visitors. This is critical not only to meet revenue targets but also to minimise the amount of management time that can be spent resolving issues with catering arrangements. It would be prudent to obtain the advice of a specialist in this area at an early stage.



## 7.0 Financial and Economic Impact

The review confirms the findings from earlier studies that the building of a new performing arts facility in Latrobe City would result in a net increase in total subsidisation by the Council, consistent with the experience of other regional theatre venues.

### 7.1 Current financial performance

Table 7 provides a high-level summary of the current direct operating revenues and costs of Latrobe City's performing arts provision, and Table 8 includes some high-level performance indicators. It does not include any allocation of costs and overheads in respect of services (e.g. finance, insurance) provided from other Council departments, or any expenditure incurred in respect of the renewal and replacement of capital assets. All financial figures have been rounded to the nearest \$'000.





Table 7 Financial Performance 2012-13 to 2014-15

	2012/13	2013/14	2014/15	
	\$	\$	\$	
REVENUE	ACTUAL	ACTUAL	FORECAST	Comments
Creative Victoria Grant	55,000	50,000	60,000	Grant is designed to support programming initiatives. Reduction in 2014/15 reflected cross-program cuts at Creative Victoria. Funding levels have now been restored and increased to a level which is currently expected to continue
Venue Hire Fees	220,000	251,000	226,000	Reflects an average total revenue of \$1,300 per hire including recoveries of costs incurred, largely in Buildings and Facilities
Ticket Sales and Similar Revenue	73,000	74,000	91,000	Includes box office commissions and memberships as well as direct ticket sales
Catering Revenue	17,000	22,000	16,000	Includes bar sales, related costs are included in expenditure. Overall position is thought to be at best break-even. There is limited catering revenue from functions
<b>TOTAL REVENUE</b>	<b>365,000</b>	<b>397,000</b>	<b>393,000</b>	
<b>EXPENDITURE</b>				
Staff	443,000	435,000	461,000	Includes casual staff which vary with performance requirements
Programming and Promotion	115,000	131,000	128,000	Reflects an increasing emphasis in this area to develop audiences
Buildings and Facilities	248,000	273,000	290,000	Includes cleaning, maintenance, utilities and costs recharged to hirers
Other	40,000	37,000	39,000	General office and administrative costs
<b>TOTAL EXPENDITURE</b>	<b>846,000</b>	<b>876,000</b>	<b>918,000</b>	
<b>NET COUNCIL SUBSIDISATION</b>	<b>481,000</b>	<b>479,000</b>	<b>525,000</b>	2014/15 figure reflects a 34% increase on the 2012 amount of \$391,000
Subsidisation per Attendee	\$6.45	\$11.14	NA	Highly sensitive to number of attendees in Kermot Hall. Benchmarking has indicated range of \$1.82 - \$19.55 in sector (VAPAC, 2010)
Subsidisation per Performance Attendee	\$38.73	\$34.84	\$27.93	Reflects increasing numbers of attendees. Benchmarking has indicated range of \$0.52 - \$42.00 in sector (VAPAC, 2010)

**Table 8 Key Indicators 2012-13 to 2014-15**

	2012/13	2013/14	2014/15	
	\$	\$	\$	
	ACTUAL	ACTUAL	FORECAST	Comments
Total Performance Attendees	12,422	13,748	18,900	This has shown steady growth since the 2008/09 figure of 11,064, and a significant uplift is expected in 2014/15. (Actual performance attendees to 28 March 2015 were 15,420)
Total Functions/Event Attendees	62,211	29,227	NA	Largely relates to Kermot Hall attendees; there is limited event activity in other venues
Total Attendees	74,633	42,975	NA	
Total Performances	36	59	67	Reflects more active programming, responding to Council and State Government objectives
Total Functions/Events	138	160	NA	No clear trend information available
Total All Events	174	219	NA	
Number of Events Per Week	4	5	NA	Across all venues under management, assuming 48 week year
Own Programs as % of Total Performances	36%	36%	36%	This rate is consistent with the wider regional sector (VAPAC, 2013). Own programs comprise bought-in productions and self- or co-presented productions
Community Performances as % of total Performances	33%	41%	39%	Understood to be a generally declining proportion of the total and has certainly fallen from 2008/09 rate of 52%
Commercial Performance Hires as % of Total Performances	14%	8%	9%	This has grown in percentage terms since 2008/09 when the rate was 5% but in absolute terms the figure remains very low at around 5 programs per year, generally in Kermot Hall
Average FTE (approx.)	6.45	6.25	6.25	Stable staff profile since 2011/12
Square Metres under Management	5,096	5,096	5,096	Includes LPAC, Kermot and Moe Halls only. Best estimate only

Whilst only limited trend information is available, it is clear that there has been an increased emphasis on proactive programming to build and expand audiences in Latrobe City. The Council's subsidisation, per attendee, of the overall performing arts activity is within the range for the sector.

The current subsidisation per Latrobe City resident is about \$7. Whilst there is no current benchmarking across regional Victoria, the range in 2010 was \$1.25 to \$20.56 (VAPAC, 2010). This suggests that Latrobe City's subsidisation has been at the low end of the scale although it would be useful to do some current benchmarking with a sample of directly comparable venues. It is understood that VAPAC is currently undertaking a new survey of Victorian performing arts venues and this will be a useful reference point, when complete.

In general, however, these measures confirm the findings of the demand analysis that there is the opportunity to achieve larger audiences for the performing arts in Latrobe City through an increased investment in facilities and programs to a level that would sit comfortably within the range of investment currently made by other Victorian regional councils.

## 7.2 Indicative operating revenues and costs

### *Audience growth scenarios*

The indicative operating revenues and costs for the proposed new sites at Traralgon and Morwell have been prepared under the audience growth scenarios in Table 9.

Table 9 Audience Growth Scenarios

Genre	Market Penetration by 2031			
	2014-15	Conservative	Mid-Range	Ambitious
Classical Music	4%	10%	15%	20%
Popular Music	1.5%	3%	5%	10%
Theatre	31%	38%	45%	50%
Dance	16%	18%	20%	28%
Opera/Musical	11%	15%	20%	24%
Other (incl. Comedy and Children's Shows)	47%	49%	50%	55%

Underlying volumes for potential audiences are derived from the demographic analysis described in Section 3 and, in particular, the forecast changes over the period from 2015 to 2036. It is assumed that the new facility would be operating from 2019/20 and that Year Five is, therefore, 2023/24. All financial figures are provided in current prices.



The numbers attending functions are assumed to track demographic changes and are deemed to come largely from the Latrobe City and its broader catchment. In the absence of any detailed demand assessment for the functions and events market, these are prudent assumptions. It should also be noted that neither of the facilities are scoped to provide large-scale events and convention services but rather to optimise the building's capacity alongside an active performing arts program.

### *Other assumptions*

In addition to the implicit assumptions in the demand scenarios, several other key assumptions were made in developing the financial model. Given the limited scope of this review, these were necessarily high-level and have generally erred on the side of prudence. All would require further testing and review as part of the development of a full business case for the preferred option. These are summarised in Appendix 4.

In particular, it is assumed that the Creative Victoria grant continues at the current level of \$60,000. The experience of other new venues is that an increase in this grant can be negotiated to support the development of a new and expanded program. The likelihood of this should be explored further with Creative Victoria.

## 7.3 Summary financial performance – Morwell & Traralgon

Table 10 presents summary figures for Year 5 only<sup>8</sup>, as it is assumed that it will take five years from opening for a stable business model to be bedded down and for the target penetration into potential genre groups to be firmly on track to meet the 2031 targets in Figure 5. This is consistent with general industry experience.

It should be note that this model assumes that the existing LPAC site is no longer used as a performing arts space. To continue using this site, as was assumed in the Morwell Business Case, would lead to an increase in costs but without a commensurate increase in demand and revenues.

**Error! Reference source not found.** presents figures for Traralgon for Year 5 only as it is assumed that it will take five years from opening for a stable business model to be bedded down and for the target penetration into potential genre groups to be firmly on track to meet the 2031 targets in Figure 6. This is consistent with general industry experience.

<sup>8</sup> Full figures for the Morwell and Traralgon options are available in Appendix 4.



Table 10 Monwell Option Year 5 Financial Forecast Summary

	Conservative (\$)	Mid-Range (\$)	Ambitious (\$)	Comparison between Mid-Range Scenario and 2013/14 Actual Results
TOTAL REVENUE	737,000	821,000	890,000	124% increase on 2013/14 revenue
TOTAL EXPENDITURE	1,654,000	1,683,000	2,071,000	137% increase on 2013/14 expenditure
NET COUNCIL SUBSIDISATION	917,000	1,062,000	1,181,000	Represents a \$584,000 increase on 2013/14 level (\$478,000) and a \$537,000 increase on 2014/15 level (\$525,000)
Subsidisation per Attendee	\$11.13	\$11.73	\$12.15	Consistent with 2013/14 rate of \$11.14
Subsidisation per Performance Attendee	\$38.67	\$33.40	\$30.72	Consistent with 2013/14 rate of \$34.81
Subsidisation per Latrobe City Resident	\$11.68	\$13.53	\$15.04	Based on an estimated resident population of 78,500 in 2023. Current rate is \$7

Table 11 Traralgon Option Year 5 Financial Forecast Summary

	Conservative \$	Mid-Range \$	Ambitious \$	Comparison between Mid-Range Scenario and 2013/14 Actual Results
TOTAL REVENUE	766,000	852,000	924,000	132% on 2013/14 level
TOTAL EXPENDITURE	1,723,000	1,956,000	2,149,000	145% on 2013/14 level
NET COUNCIL SUBSIDISATION	956,000	1,104,000	1,225,000	Represents a \$626,000 increase on 2013/14 level (\$478,000) and a \$579,000 increase on 2014/15 (\$525,000)
Subsidisation per Attendee	\$12.23	\$12.77	\$13.14	Slightly higher than current level (\$11.14) and Monwell option, reflecting greater square metres under management.
Subsidisation per Performance Attendee	\$39.49	\$34.01	\$31.21	Consistent with 2013/14 rate of \$34.81
Subsidisation per Latrobe City Resident	\$12.17	\$14.06	\$15.61	Based on an estimated resident population of 78,500 in 2023. Current rate is \$7



## 7.4 Comparison with feasibility study and business case

The Feasibility Study included some detailed projections of revenues from catering, venue hire and ticketing (some of which have been applied in this review). However, it was based on different assumptions for estimating, and responding to, demand. This means they are not directly comparable.

The cost analysis lacked some detail and the assumptions regarding the operating model for the existing, and potentially continuing, venues was not explicit. For example, the Study was silent on the ongoing use of Kernot Hall, the Moe Town Hall and the other venues under the Traralgon option, and of the existing LPAC, under the Morwell option.

Overall, the Feasibility Study concluded that, in Year 5, both the Traralgon Option and the Morwell Option would require a net subsidisation of \$357,000 from the Council. If this is taken to be the net additional impact of the new facility and an 8.8% increase in prices since 2010 is assumed, this is equivalent to an amount of \$386,000 today. This is lower, but not inconsistent, with that derived in this study for Morwell (\$439,000) and Traralgon (\$478,000) under the most conservative of the three scenarios.

The Morwell Business Case more fully developed the estimates for the Morwell option but assumed the Traralgon LPAC facility would continue to operate and took a portfolio approach to all arts facilities. Its activity and revenue assumptions are also based on the capacities of the proposed facility, rather than the market and demographic trends. Slightly more bullish assumptions were made about catering revenues on the Morwell site but, on the other hand, no revenue from sponsorship and donations was included for either option.

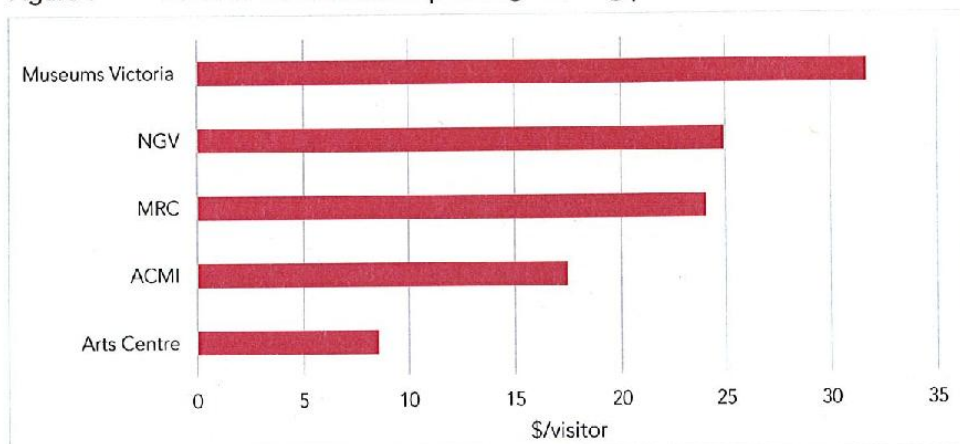
The Business Case also included different assumptions about staffing (assuming lower productivity); programming costs (assuming they would be contained at lower levels); and building costs (underestimating ongoing maintenance costs of the new facility, but also assuming that LPAC would continue). The Business Case concluded that the net subsidisation from Council would be \$1.12 million, an increase of \$727,000 over the then level. Assuming a 4.6% increase in prices since 2012, this equates to a subsidisation of \$1.17 million, which is consistent with the most ambitious of the three scenarios here.

## 7.5 Net council subsidisation

Both earlier reports concluded that the building of a new facility would result in a net increase in total subsidisation by the Council. This has been confirmed here and is consistent with almost every experience in the public theatre sector, and much of the commercial sector as well. Theatres and other cultural institutions are not primarily intended to be money-making ventures, but rather investments to deliver broader community benefits and, potentially, to contribute to economic activity in a wider region. This is illustrated in Figure 9, which compares the level of subsidisation across several State entities in Melbourne.



Figure 9 2012/13 Government Operating Funding per Visitor



Source: extracted from Annual Reports, Geografia, 2014

The Feasibility Study reported that levels of Local Government subsidisation of performing arts centres in Victoria in 2010 ranged from \$25,000 per annum to over \$1.3 million across a number of venues (VAPAC 2010). The Study's own benchmarking exercise of some regional cities and larger centres in the Gippsland region found subsidisation amounts fell in the range of \$450,000 to \$1,400,000 and that Latrobe City was then at the lower end of the scale, at \$391,000.

Current subsidisation per Latrobe City resident is \$7. Investment in a new venue, at either Traralgon or Morwell, would increase this rate of subsidisation to a figure within the range \$11.68 to \$15.16 which appears to be more comparable with the rest of the sector (see Section 7.1).

## 7.6 Whole-of-Life operating costs

Given that a functional design brief has not yet been developed and only very basic designs are available, it is difficult to calculate reliable whole-of-life operating costs or indicative replacement costs. A rule of thumb for maintenance, plant replacement and upgrading, is to allow 3% per annum of the total current capital cost to rebuild (VAPAC 2012). Based on the indicative total capital costs in Table 5, this would suggest that an annual amount of \$350,000 should be allowed per annum for Morwell, and \$390,000 per annum for Traralgon from 2019/20 onwards for capital renewal and replacement. This is in addition to the amounts already allowed in Table 11 and Table 12 for annual building and equipment maintenance costs.



## 7.7 Flow-on economic impact

The total estimated economic impact of the LPACC is summarised in Table 12. It is based on the construction cost estimates and net revenues from non-resident attendance at both performances and events. Further details on how these were calculated are provided in the Appendix.

**Table 12 Impact of Construction Activity on Local Economy**

	Cycle	GRP	Net Jobs
Morwell Site	Construction	\$20.6m	352
	Operational	\$301,800 p.a.	4.5
Traralgon Site	Construction	\$20.3m	347
	Operational	\$298,800 p.a.	4





## 8.0 Potential Joint Ventures or Naming Rights

Although selected comparable performing arts venues have succeeded in attracting reasonable levels of support for new venues from the private sector over the past decade, such support might be limited in the future given low levels of expected economic growth. It is advised that Latrobe City explore the prospect of support from both private and public organisations, including those in the education and health sectors seeking broader community partnerships.

### 8.1 Market overview

A high-level review of performing arts and entertainment centres in several Victorian regions including Sale, Warragul, Warrnambool, Wangaratta and Shepparton indicates that private sector support, in the form of corporate sponsorship and philanthropy, is currently limited.

The ESSO BHP Billiton Wellington Entertainment Centre (EBBWEC) in Sale stands out as the benchmark for success in attracting support from the private sector, having secured naming rights from both commercial and philanthropic partners. ESSO BHP Billiton was reported to have secured naming rights of the venue for \$350,000 in 2003 for an unknown term (Gippsland News, 2003). EBBWEC also includes the John Leslie Theatre, demonstrating that a community arts centre can negotiate multiple naming rights with both commercial and philanthropic supporters. In addition to these naming rights, the EBBWEC website lists at least a dozen sponsors, mostly local businesses that are likely to be offering cash or in-kind contributions to support the entertainment centre.

It should be noted that private sector support for the EBBWEC was sought before the global financial crisis and its subsequent impact on the Australian economy. Although total national arts sponsorship increased by 29% and arts philanthropy increased by 141% in the period from 2003/04 to 2009/10, support for performing arts venues accounted for just \$16 million or 7% of the total (ABaF, 2011). It is reasonable to assume that most of this support would be secured by the large state government-owned performing arts venues and that contributions to local government-owned venues would be minimal.

There has also been significant structural change in the national economy over the past decade and this is likely to affect the quantum and source of private sector support available for new venues such as that proposed by Latrobe City.



## 8.2 Suggested partnership model

A partnership model should be developed that distinguishes between commercial and philanthropic support, reflecting the different types of contributions made to LPACC. As outlined in Table 13, LPACC could attract support both at the venue level (venue partners) and for specific LPACC programs, seasons, performances, or events (program partners).

At the venue partner level, cash contributions to LPACC could bestow naming rights on companies (with recognition such as "Principal Partner") or on philanthropists ("Principal Benefactor"). Naming rights for the entire building and for specific spaces (such as meeting rooms, exhibition spaces or the auditorium) could be offered. In addition to naming rights, LPACC might attract contra support for the venue (to cover the costs of items such as printing or bathroom toiletries) and these contributors could be recognised "Major Partners" or "Support Partners", in the case of the commercial sector, or "Patrons" and "Friends" in the case of philanthropists, depending on the respective level of support.

At the program partner level, supporters from the commercial sector might be referred to as "Major Sponsors" or "Support Sponsors", depending on the level of their contribution, and philanthropic supporters might be known as "Patrons" for significant in-kind contributions, or "Friends" for minor in-kind contributions.

Table 13 Proposed Partnership Model

	Contribution	Commercial Recognition	Philanthropic Recognition
Venue Partners	Naming Rights – cash	Principal Partner	Principal Benefactor
	Cash or Major Contra	Major Partners	Patrons
	Minor Contra	Support Partners	Friends
Program Partners	Cash or Major Contra	Major Sponsors	Patrons
	Minor Contra	Support Sponsors	Friends



### 8.3 Opportunities for LPACC

Potential commercial sponsors are most likely to be interested in either:

- Those LPACC activities which offer the greatest exposure to the broadest possible demographic cross-section of the community (including young adults, families, couples with no children and older members of the community); or
- Opportunities that might reflect the sponsor's footprint in the region and/or allow them to discharge their social responsibility or community contribution obligations in respect of separate agreements entered into with State or Local Governments.

Potential philanthropists are most likely to be:

- Families with origins in the region (that may or may not currently live in Latrobe City) that may be interested in establishing a "local legacy" in their family name; or
- Individuals who may have a specific interest in supporting cultural development in the Latrobe City and are probably already involved with arts and cultural activities.

Specific opportunities for Latrobe City to explore in the commercial sector include:

- For major contributions: local retail gas and electricity providers, companies in the local coal mining, energy, and agribusiness (including forestry) industries; and
- For minor cash or contra contributions: small to medium businesses servicing the local community such as local bank branches, commercial and professional firms, and emerging industries and businesses that may have a larger regional presence by 2019/20.

Partnership opportunities with community sector organisations with a large footprint in the region, such as those in the health and education sector, should also be explored for potential support of LPACC.

There are several examples of education partners investing in performing arts venues in regional Victoria. Deakin University, with a campus in Warrnambool, is the Principal Sponsor of the theatre season at the Warrnambool Regional Performing Arts Centre. The Westside Performing Arts Centre in Shepparton is owned by Mooroopna Secondary College and is managed by Greater Shepparton City Council. The City of Greater Bendigo has entered a joint venture with Bendigo Senior Secondary School, through the Department of Education and Early Childhood Development, to open the new Ulumbarra Theatre in April 2015, which is also expected to include a tertiary institution as an education partner.

Berry Street is the largest independent Victorian child and family services organisation and has been providing services to Gippsland families for more than 20 years. Berry Street has an independent school and regional office in Morwell and could be approached to partner with LPACC in the delivery of specific programs, performances and events for families in Latrobe City. Berry Street currently partners with the corporate sector, including ANZ, to run



seminars for families in multiple locations, including Morwell. A sponsorship agreement with Berry Street could include the use of LPACC facilities for Berry Street activities.

## 8.4 Indicative revenues

The Australia Business Arts Foundation (AbaF) reported total arts sponsorship and philanthropy in Victoria of \$62m for 2009/10 with sponsorship accounting for roughly a third of this. Similar proportions could be applied to LPACC estimates for the two different sources of private sector support outlined in Table 14.

Table 14 Private Sector Support

	2019/20 \$'000s	2020/21 \$'000s	2021/22 \$'000s	2022/23 \$'000s	2023/24 \$'000s	2024/25 \$'000s
Naming Rights	\$50	\$50	\$50	\$50	\$50	\$50
Other Support (programs, events etc.)	\$15	\$20	\$25	\$30	\$30	\$30
<b>Total</b>	<b>\$65</b>	<b>\$70</b>	<b>\$75</b>	<b>\$80</b>	<b>\$80</b>	<b>\$80</b>

These estimates assume:

- Cash contributions only. Any contra support, effectively reducing LPACC's operating costs, would be in addition to these amounts;
- Naming rights of the venue might be negotiated for \$250,000 for a 5-year term and any additional naming rights (of a studio, theatre, meeting room etc.) would be in addition to these overall naming rights of the building. Naming rights could be secured via corporate sponsorship or philanthropy; and
- That support for programs and events would build over the initial 5-year period as the venue is launched, builds popularity in the community, and attracts media attention.

The total level of financial support shown in Table 15, is not believed to be contingent upon where the LPACC venue is located, or which of the three attendance scenarios is applied, as there are insignificant differences between these attendance levels for the purposes of attracting private sector support.



## 8.5 Other considerations

LPACC should also consider the following when developing relationships with sponsors and philanthropists:

- The development of a full suite of potential offerings for commercial sponsorship and philanthropic support at LPACC well in advance of the proposed venue opening date as negotiations can also take much longer than expected;
- Ensure a transparent process and optimise stakeholder relationships. For example, it may be appropriate to conduct an expression of interest process with local businesses to assess the levels of potential interest;
- All sponsorship agreements should have start and end dates so that acknowledgement is not conferred to supporters in perpetuity. Similarly, naming rights for philanthropists should never be promised in perpetuity other than in the most exceptional of circumstances. In most cases periods of 5-20 years should suffice;
- In the interests of maintaining good stakeholder relationships and avoiding “double dipping”, it will be important for Latrobe City to research and identify sponsorships and relationships that are already in place between Latrobe City’s community stakeholders and the corporate sector (for example Latrobe Theatre Company, relevant festivals and performing arts groups); and
- Expiry dates of commercial sponsorship agreements (anywhere from one year agreements to five-year agreements) should be staggered to avoid multiple agreements expiring at the same time.



## 9.0 Which Site?

Financially there is little to choose between the two sites. And without further analysis of economic interactions between the facility and the local retail and hospitality sector, the economic gains are also similar. There are, however, some measures which suggest Traralgon offers the better of the two options.

### 9.1 Summary of options

Whilst not intended to be an exhaustive survey of the criteria to be considered when choosing between the two sites, Table 15 provides a summary of some of the key areas covered by this review.

Table 15 Comparison of Site Options

Criterion	Morwell Option	Traralgon Option	Comments
Community Consultation	-	-	In general, the only views expressed (the question was not formally asked) related to access issues – Morwell was regarded as having poorer public transport and foot access but better parking than Traralgon
Location and Amenity	Not Preferred	Preferred	Overall an 'in town' site provides greater amenity than an 'edge of town site'. This was supported by industry consultation
Capacity (persons)	1,455	1,680	Excludes Moe Town Hall and smaller sites. Assumes that the Traralgon option continues to operate Kernot Hall as part of a portfolio of venues
Square Metres (full portfolio of venues)	5,161	5,670	Traralgon Option requires construction of new function space and assumes Kernot Hall continues in use
Year 5 Mid-Range, Indicative Scenario:			
Total Attendees	90,497	86,426	Impact of integrated Kernot Hall under Morwell Option
Total Performance Attendees	31,789	32,452	Traralgon is preferred venue for performances and expected to generate greater participation
Total Net Subsidisation	\$1,062,000	\$1,104,000	Higher building management costs under Traralgon Option



Criterion	Morwell Option	Traralgon Option	Comments
Subsidisation per Performance Attendee	\$33.40	\$34.01	Ditto partially offset by marginally more performance attendees under Traralgon Option
Subsidisation per Population	\$13.53	\$14.06	Based on 2023 population estimate of ~78,500
Capital Cost	\$16,974,000	\$16,724,000	No material difference. Traralgon Option includes demolition of LPAC and provision for commercial kitchen and some refurbishment to Kernot Hall
Annual Sinking Fund Contribution	\$350,000	\$390,000	No material difference
Economic Impact – construction	\$20.6 million (352 jobs)	\$20.3 million (347 jobs)	Higher impact from Morwell development
Economic Impact – operations	\$301,800 pa (4.5 jobs)	\$298,800 pa (4 jobs)	No material difference

From a financial or economic perspective, there is little to choose between the two sites. Greater flow-on economic benefits from the Traralgon ‘in-town’ site are probable, but difficult to project. The views of potential funders, whilst informally obtained both now, and in the past, should be considered persuasive and both Creative Victoria and RDV are likely to encourage the Traralgon site as it is centrally located in the town and close to other amenities. This is also the implicit view of the sector professionals consulted during this review. With this background, a decision to proceed with the Morwell site would need to be supported by a much more pronounced evidential advantage than that indicated above.

Two strategic issues are material to the relative costs and economic impact:

1. **The future role for the existing LPAC site under both scenarios.** This review has assumed that this will not continue as a performance space, as this is not justified by demand projections. Whether, however, it is preferable to demolish the building to use as car parking space, as is currently proposed under the Traralgon option, or whether it would be preferable to realise the value of the asset through commercial sale (e.g. for aged care housing) to fund the redevelopment needs further consideration. This is also relevant to the Morwell Option.
2. **The extent to which Kernot Hall would need refurbishment under the Traralgon Option in order to maintain a full portfolio of venues in Latrobe City.** This could also be considered an interim stage progressing towards to the future use of the Morwell site in the future for the development of a larger scale dedicated events and convention centre for the wider Gippsland region, if there is a strong business case.

The development of a Master Plan for all cultural and related infrastructure in Latrobe City, in conjunction with the proposed arts and cultural strategy, would greatly assist in answering these questions.



## 10.0 Recommendations

This review has confirmed that there is a clear need to expand and enhance the provision of performing arts facilities in Latrobe City. Once the criteria considered in this review are taken into account, the Traralgon option presents the most appropriate site, particularly in the context of views of potential funders and the experience of the sector as a whole. However, there are gaps in the evidence in support of a facility, particularly given changing conditions in the wider region.

The following recommendations suggest a course of action to progress the development of this project.

**Table 16 Recommendations**

Recommendation	Reference	Details
1	Section 2.3	Undertake a representative survey of residents to assess views on relative merits of Traralgon and Morwell sites and potential community usage.
2	Section 3.3 & 7.2	Confirm demand projections for functions and events. Consider the potential long term demand for the development of a larger scale (i.e. > 500 seats) dedicated convention facility serving Gippsland.
3	Section 4.2	Complete the Latrobe City Arts and Culture Strategy and ensure any proposal for a new venue is consistent with the Strategy's objectives.
4	Section 4.2 & 9.1	Consider development of a Master Plan for cultural facilities in Latrobe City, following completion of the Arts and Culture Strategy.
5	Section 4.3	Council to confirm the site for the proposed new facility without delay. This review recommends the selection of the Traralgon site and the following recommendations assume this selection.

Councillors and relevant Council staff may find it useful to undertake some formal field visits to other Victorian venues such as Shepparton (separate facilities for performing arts and conventions), Albury/Wodonga/Wangaratta/Benalla (partnership model and mix of 'in town' and 'edge of town' venues); Sale/Warragul (both within Latrobe City catchment area); Horsham (current development); Bendigo (newly opened large scale venue).





Recommendation	Reference	Details
6	Section 5.1 & 5.2 & 6.0	<p>Confirm key design elements including, <i>inter alia</i>:</p> <ul style="list-style-type: none"> <li>• Inclusion of a fly tower and orchestra pit</li> <li>• The need for a flexible, flat floor performance space</li> <li>• Catering and kitchen facilities</li> <li>• Extent of refurbishment needed at Kernot Hall</li> <li>• Co-location of administrative offices on site</li> <li>• Technological and digital functionality.</li> </ul> <p>This should include an assessment of the existing, and proposed, provision elsewhere in the region to ensure the new facility is complementary and regional gaps are filled.</p> <p>The early engagement of a specialised theatre design consultant would assist throughout the project and is recommended.</p>
7	Section 5.1 & 9.1	<p>Determine future use of the existing LPAC site in Traralgon. Possible options include:</p> <ul style="list-style-type: none"> <li>• Demolition with site being used for car parking (for new facility) or recreational space.</li> <li>• Demolition with site being leased/sold for alternative use including commercial or residential. This could possibly provide funding for the development of the new facility.</li> <li>• Retention and conversion to meet demands of the new proposed facility (the Business Case should address this option, for completeness).</li> <li>• Retention and conversion to another use.</li> </ul>
..8	Section 5.3	Complete functional design brief for costing and inclusion in Business Case.
9	Section 6.3	Review existing business systems, including booking systems, to ensure they will meet future requirements and estimate cost of any enhancement.
10	Section 6.4	Determine expected staffing numbers and skills mix.
11	Section 6.5	Determine catering model and engage services of specialised catering consultant during development of functional design brief and business case.
12	Section 7.2	Determine likely level of grant support from Creative Victoria for programming in a new venue and reflect in financial projections.
13	Section 7.2 & Appendix 4	Confirm financial model and assumptions in conjunction with functional design brief and recommendations 2, 9-12.



Recommendation	Reference	Details
14	Section 7.1	Update data on relative regional subsidisation rates once 2014 VAPAC benchmarking is available.
15	All Sections	Develop a business case, with a strong evidence base, for the new venue. The use of the Victorian Department of Treasury and Finance's Investment Management Standard framework is highly recommended. It will also be important that the Business Case reflects the policy and strategic objectives of funders. Creative Victoria is understood to be currently reviewing the State's arts policy, including the regional arts policy.
16	Section 8.2 & 8.5	Develop a partnership model for corporate and philanthropic support and ensure negotiations start well in advance of the opening of a new facility.
17	Section 6.2	Continue and increase investment in programming in the period before opening to build audiences.



## 11.0 References

- ABaF, 2011, *Survey of Private Sector Support: measuring private sector support for the arts in 2009/10*, Australian Business and the Arts Foundation,
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- Latrobe City, 2013, *Latrobe 2026: Community Vision*, Latrobe City, Morwell
- VAPAC, 2010, *End of Year Financial Survey of Members*, Victorian Association of Performing Arts Centres, July 2010, Melbourne
- VAPAC, 2012, *Oh You Beautiful Stage Edition 3*, Victorian Association of Performing Arts Centres, Melbourne
- VAPAC, 2013, *Annual Report*, Victorian Association of Performing Arts Centres, Melbourne



## Appendix 1 Methodology

### Market size

The potential market size for Latrobe performing arts venues has been calculated by applying the ABS cultural attendance survey data to the defined catchment area and deriving an estimate of the total number of expected annual visits to a cultural event by residents of that catchment area. This is the estimated 'market size' for all cultural events whether they are in Latrobe or elsewhere; in privately owned or public facilities. The steps involved were:

1. Define the catchment area using postcode data from ticket sales provided by the Council. As 80-90% of all sales have been to Latrobe residents and most of the rest of sales are to Baw Baw, East Gippsland and Wellington residents, the populations of these council areas has been used to estimate the catchment area.
2. Use State Government population projections for the catchment area to establish the total and adult population of the catchment area each year to 2031.
3. Apply the ABS survey results for regional Victoria to the adult population. This provides a baseline market size by art form.
4. Escalate the participation rate by gradually shifting from the regional city participation rates and frequencies to the 'capital city' figures. This is a 'baseline' increase in participation that is assumed to occur regardless of whether a new facility is built. However, it does assume the City invests in audience and program development.
5. Accelerate the increase in participation rates assuming the new facility is built.

Figure 10 shows how these steps affect the change in market size. The error in the ABS survey results and in the population projections were incorporated into the analysis to calculate a ranged estimate of the total market size (from 132,000 to 180,000 visits). Essentially, the growth in catchment area market size from 2019 factors in underlying population growth, increased interest due to the development of the new facility, and also an investment in a successful audience development program (Figure 11).



Figure 10 Demand Growth Model

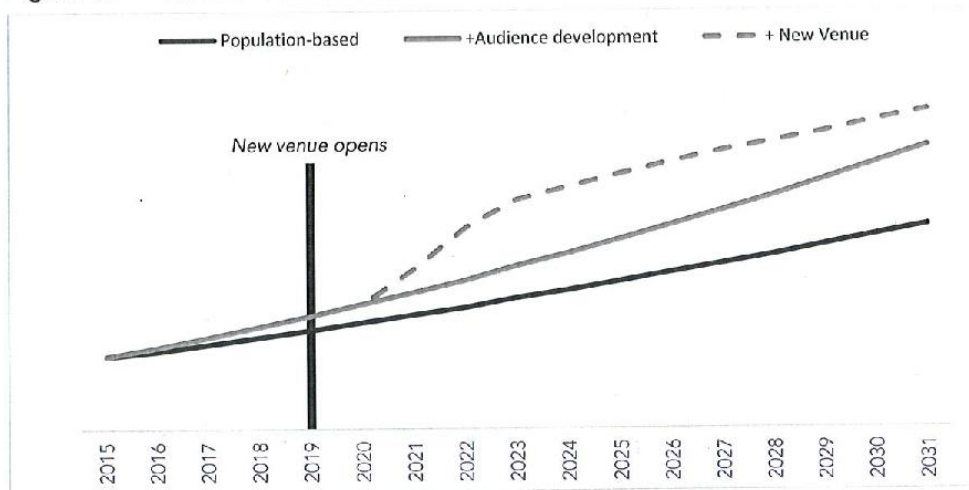


Figure 10 illustrates how the assumptions underpinning the demand growth model work. Firstly, there is an expected growth rate tied to the population growth of the catchment area. This assumes a fixed rate of cultural participation by residents. Added to this is an increase in the participation rate due to factors such as an active audience development program. Participation rates then converge on the metropolitan average. Finally, the new venue, along with investment in programs and audience development, triggers significant growth in participation, which then eases back to the 'audience-development' rate of growth. Source: Geografia, 2015

Figure 11 Estimated Market Size for Latrobe Cultural Events

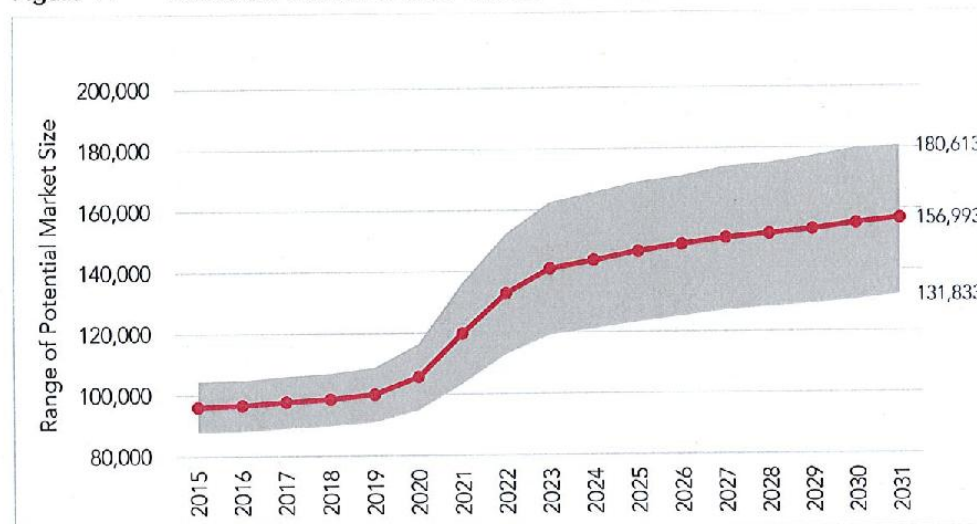


Figure 11 shows the total market size for all cultural events for the Latrobe PACC catchment area. The red line is the mean value and the grey band the level of uncertainty around this. Source: Geografia, 2015

The estimated market size by local government area is shown in Figure 12.

Figure 12 Market Size by Local Government Area (2015-2031)

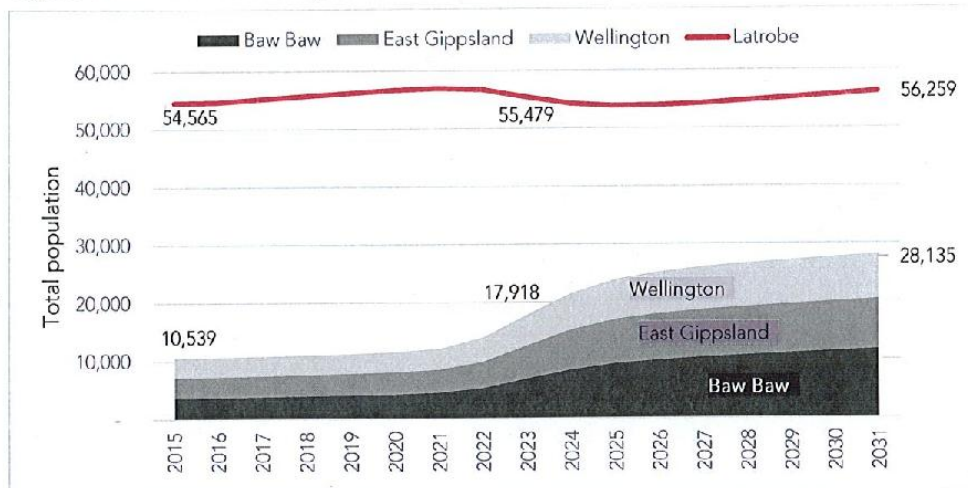


Figure 12 shows the estimated market size by local government area for the primary catchment area. While the current Latrobe facilities do attract visitors from other parts of the State, these four municipalities account for the majority. The figures here are estimated adult populations weighted by the relative share of attendance (e.g. in 2015, 90% of Latrobe's adult population and 10% of each of the other three municipal populations). Source: Geografia, 2015

## Market share

Ticket data provided by Council was then used to calculate the share of the total market captured at local venues in the current year. That is, the existing venues' market share. This was used as the starting point for estimating growth scenarios. 'Baseline', 'Midrange' and 'Ambitious' scenarios were calculated using fixed target market shares by art form (Table 17).

Table 17 Market Share Scenarios

Scenario	Growth in Market Share (2031)
Baseline	Avg 5% p.a. (aligned to total market growth, achieving 17% overall market share)
Midrange	Avg 7% p.a. (targets 20-25% overall market share)
Ambitious	Avg 8.5% p.a. (targets 28-32% overall market share)



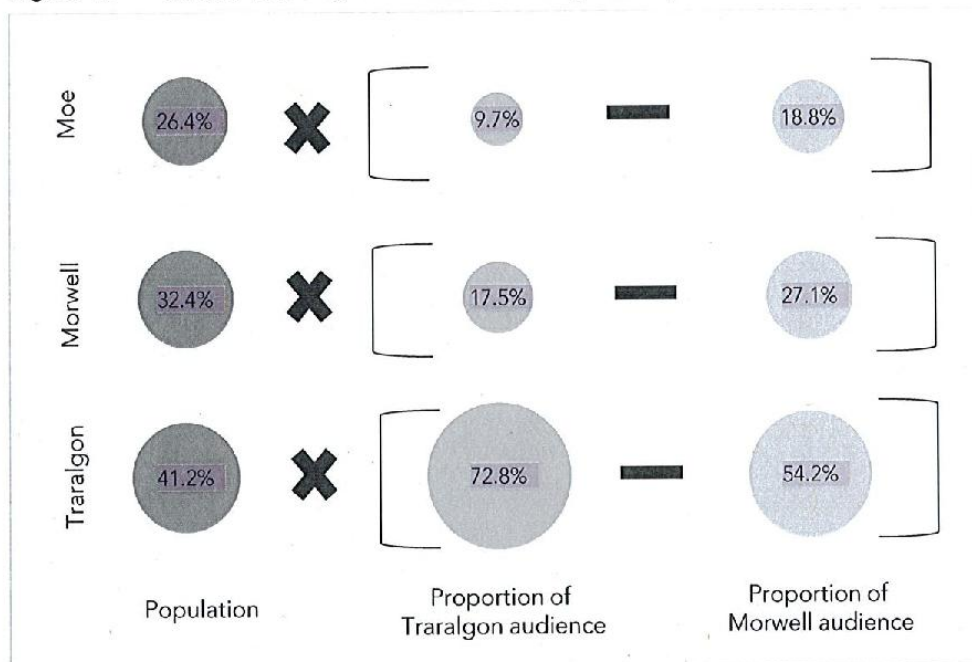
## Estimating variation in demand between sites

As with the 2009 Feasibility Study, this analysis also made the assumption that local market share would be slightly different depending on the final location of the LPACC. This is due to the different population sizes and propensities to attend cultural events<sup>9</sup>.

Figure 13 summarises the key dimensions of this and how a 'scaling factor' was calculated, taking into account that:

1. Traralgon residents make up a higher share of the total population and a significantly higher share of both the Traralgon and Morwell audiences.
2. Residents from each town showed a preference for attending performances in their 'home town'. But Traralgon residents are more willing to travel to other towns (Moe or Morwell) for performing arts.

Figure 13 Market Share by Place of Residence (2013-14)



Source: ABS, 2011; Latrobe City, 2015

<sup>9</sup> The difference was based on ticketing data from Traralgon, Moe and Morwell residents only as only these towns showed any significant difference in preference for Morwell or Traralgon events. They also make up some 80% of the resident population of the catchment area.



From this, we derived a figure of 1.8-2.2%. That is, audience numbers for a Traralgon venue would be between 1.8% and 2.2% higher than a Morwell venue (all other things being equal).

## Functions

Estimates of the potential demand for and attendance at conventions and functions have less data to draw upon compared with that for arts performances. To derive a reasonable estimate, existing Council data was used to calculate a baseline rate, which was then escalated at the regional population growth rate. This latter assumption is based on the findings from the Destination Gippsland Events and Conference Market study which found that 80-90% of convention and function activity came from within the region.

## Flow-on economic benefits

Geografia's inter-industry model for Latrobe City was used to estimate the flow-on benefits of the facility on the local economy in terms of additional Gross Regional Product. This includes:

1. A short-term impact from construction activity
2. A longer-term, but smaller impact from operational activity. This only factors in additional attendance at LPACC events/functions from non-residents.

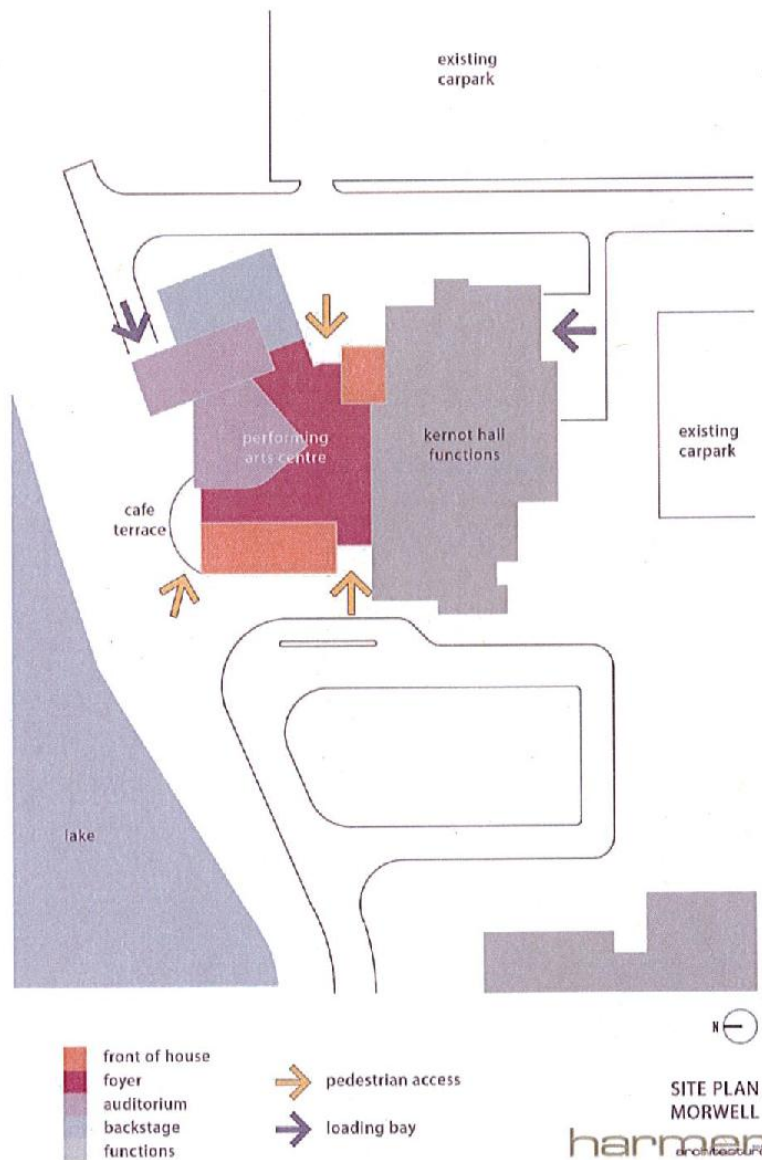
There is a strong argument to be made that the economic benefits accruing from the operation of a facility on the Traralgon site would be higher due to greater likely interaction between the facility and local retail and hospitality businesses. However, there is no data available to quantify this. Additionally, most of the expenditure will be by residents, which does not add to GRP and, so, the difference is likely to be negligible.





## Appendix 2 Indicative Designs

Figure 14 Morwell Site Plan

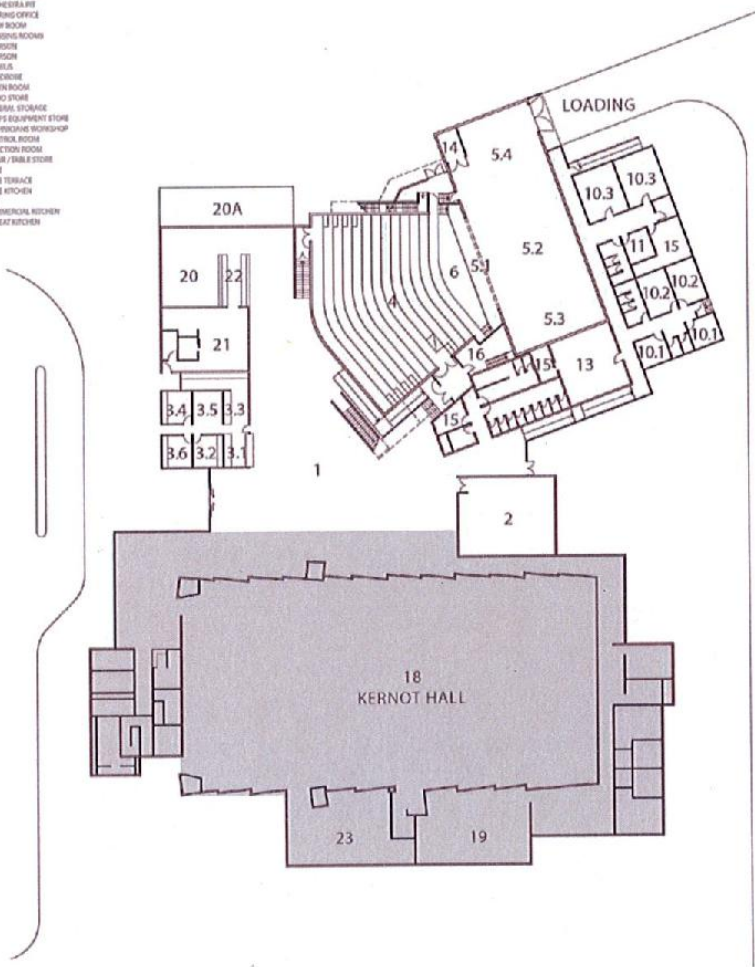


Source: CPG, 2009



Figure 15 Morwell Floorplan

- 1 POWER
- 2 CONFERENCE ROOM
- 3 OFFICES
- 3.1 BOSS OFFICE
- 3.2 MANAGERS OFFICE
- 3.3 ADAMS OFFICE
- 3.4 TECHNICAL MANAGER'S OFFICE
- 3.5 STAFF ROOM
- 3.6 SPOKESMAN / INTERVIEW ROOM
- 4 HANGAR
- 5 STAGE
- 5.1 PROSCENIUM
- 5.2 ACTING AREA
- 5.3 PROSCENE WING
- 5.4 OFF FRONT WING
- 6 ORCHESTRAL PIT
- 7 TOURING OFFICE
- 8 CREW ROOM
- 9 DRESSING ROOMS
- 10.1 2 PERSON
- 10.2 4 PERSON
- 10.3 6 PERSON
- 11 WAREHOUSE
- 12 GREEN ROOM
- 13 PIANO STORE
- 14 GENERAL STORAGE
- 15 PROPS EQUIPMENT STORE
- 16 TECHNICALS WORKSHOP
- 17A CONTROL ROOM
- 17B FUNCTION ROOM
- 18 CHAIR / TABLE STORE
- 19 CAFE
- 20A CAFE TERRACE
- 21 CAFE KITCHEN
- 22 BAR
- 23 COMMERCIAL KITCHEN
- 24 BO-BOAT KITCHEN

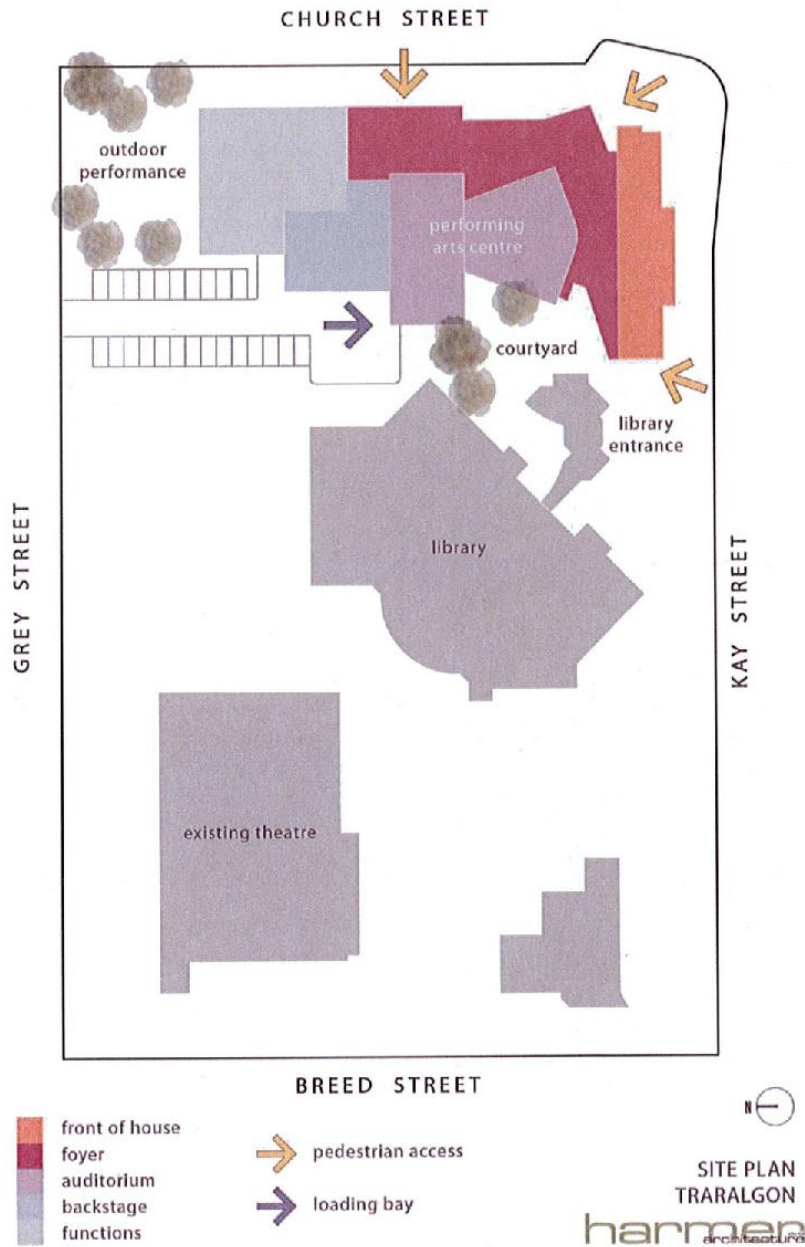


FLOOR PLAN  
MORWELL  
harmen  
architecture

Source: CPG, 2009



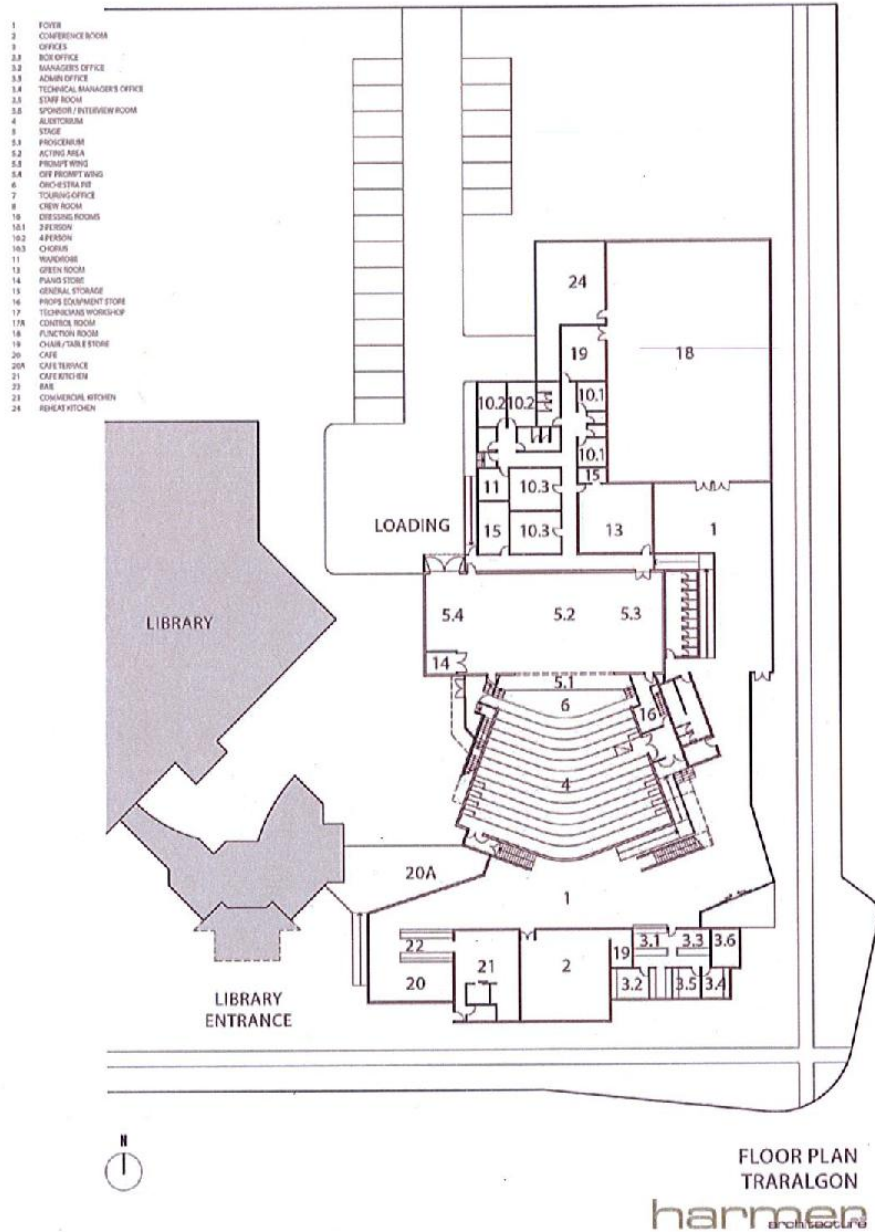
Figure 16 Traralgon Site Plan



Source: CPG, 2009



Figure 17 Traralgon Floorplan (Ground)

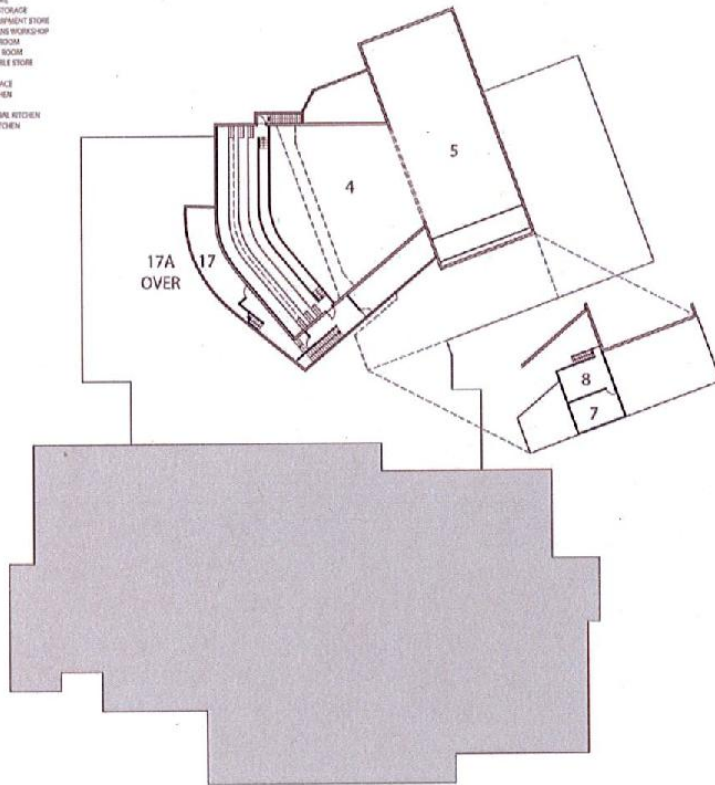


Source: CPG, 2009



Figure 18 Traralgon Floorplan (1<sup>st</sup> Floor)

- 1 FOYER
- 2 CONFERENCE ROOM
- 3 OFFICES
- 3.1 BOE OFFICE
- 3.2 MANAGER'S OFFICE
- 3.3 ADMIN OFFICE
- 3.4 TECHNICAL MANAGER'S OFFICE
- 3.5 STAFF ROOM
- 3.6 SPONSOR / INTERVIEW ROOM
- 4 AUDITORIUM
- 5 STAGE
- 5.1 PROSCENIUM
- 5.2 ACTING AREA
- 5.3 PROMPT WINGS
- 5.4 OFF PROMPT WING
- 6 DRUM ESTIM. RT.
- 7 TOURING OFFICE
- 8 CREW ROOM
- 9 DRESSING ROOMS
- 10.1 PERSON
- 10.2 PERSON
- 10.3 CHORUS
- 11 WAREHOUSE
- 12 GREEN ROOM
- 13 GRAND STORE
- 14 GENERAL STORAGE
- 15 PROPS EQUIPMENT STORE
- 16 TECHNICIAN WORKSHOP
- 17A CONTROL ROOM
- 17B FUNCTION ROOM
- 19 CHAIR TABLE STORE
- 20 CAFE
- 20A CAFE TERRACE
- 21 CATERING KITCHEN
- 22 BAR
- 23 COMMERCIAL KITCHEN
- 24 BIKINI KITCHEN



UPPER FLOOR PLAN  
MORWELL  
**harman**  
architecture

Source: CPG, 2009



## Appendix 3 Cost Plans

### Morwell cost plan summary

Project: Latrobe Performing Arts Centre Building: Morwell		Details: Stage A Cost Plan					
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
<b>MORWELL PERFORMING ARTS CENTRE</b>							
<b>AREA ANALYSIS</b>							
01	PERFORMING ARTS CENTRE				11,948,570		11,948,570
02	EXTERNAL SERVICES				476,364		476,364
03	EXTERNAL WORKS				880,092		880,092
<b>SUB TOTAL BUILDING WORKS</b>					<b>13,305,000</b>		<b>13,305,000</b>
04	CONSTRUCTION CONTINGENCY				665,250		665,250
<b>TOTAL BUILDING WORKS (EXCL GST)</b>					<b>13,970,000</b>		<b>13,970,000</b>
05	CONSULTANTS FEES				1,676,400		1,676,400
06	AUTHORITY FEES				69,850		69,850
07	ESCALATION to 2017				1,257,300		1,257,300
<b>TOTAL PROJECT COST (EXCL GST)</b>					<b>16,974,000</b>		<b>16,974,000</b>
<b>GENERAL NOTES</b>							
This is a Stage A Cost Plan for the proposed Latrobe Performing Arts Centre at Morwell							
This Cost Plan has been prepared for the use of Geografia only. Newton Kerr and Partners take no responsibility for the use of this document by other parties.							
This Cost Plan assumes the project will competitively tendered, and use a lump sum standard form construction contract.							
This Cost Plan has been based on preliminary information requiring many assumptions to be made. These will require confirmation once the next stage of the design has commenced.							
These costings are indicative only of the possible cost in current dollars to construct the building and associated work as documented on the Harmer Architecture drawings received 25th September 2009.							
<b>Drawings</b>							
The following drawings were used in the preparation of this Cost Plan:							
Harmer Architects drawings, Drawing A Dated Sep 2009							
<b>Exclusions</b>							



### Traralgon cost plan summary<sup>10</sup>

Project: Latrobe Performing Arts Centre Building: Traralgon		Details: Stage A Cost Plan					
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
<b>TRARALGON PERFORMING ARTS CENTRE</b>							
<b>AREA ANALYSIS</b>							
01	PERFORMING ARTS CENTRE				10,866,113		10,866,113
02	EXTERNAL SERVICES				476,364		476,364
03	EXTERNAL WORKS				1,108,545		1,108,545
<b>SUB TOTAL BUILDING WORKS</b>					<b>12,451,000</b>		<b>12,451,000</b>
04	CONSTRUCTION CONTINGENCY				622,550		622,550
<b>TOTAL BUILDING WORKS (EXCL GST)</b>					<b>13,074,000</b>		<b>13,074,000</b>
05	CONSULTANTS FEES				1,568,880		1,568,880
06	AUTHORITY FEES				65,370		65,370
07	ESCALATION to 2017				1,176,660		1,176,660
<b>TOTAL PROJECT COST (EXCL GST)</b>					<b>15,884,000</b>		<b>15,884,000</b>
<b>GENERAL NOTES</b>							
This is a Stage A Cost Plan for the proposed Latrobe Performing Arts Centre at Traralgon							
This Cost Plan has been prepared for the use of Geografia only. Newton Kerr and Partners take no responsibility for the use of this document by other parties.							
This Cost Plan assumes the project will competitively tendered, and use a lump sum standard form construction contract.							
This Cost Plan has been based on preliminary information requiring many assumptions to be made. These will require confirmation once the next stage of the design has commenced.							
These costings are indicative only of the possible cost in current dollars to construct the building and associated work as documented on the Harmer Architecture drawings received 25th September 2009.							
<b>Drawings</b>							
The following drawings were used in the preparation of this Cost Plan:							
Harmer Architects drawings, Drawing A Dated Sept 2009							
<b>Exclusions</b>							

<sup>10</sup> Cost of refurbishing Kermot Hall and provision of a commercial kitchen have not been included in this summary, but are noted in the body of the report.



## Appendix 4 Financial Assumptions

Table 18 Key Financial Model Assumptions

Item	Detail of Assumption
<b>General:</b>	
Inflation	All revenues and costs assumed to be in current prices; no allowance made for wage or price increases
Governance	Assume all arts venues continue to be managed under the same model as currently
Council Central Costs	Not charged to performing arts: insurance, risk management costs, OH&S services, financial services
Square metres	Morwell new theatre 2,165 sqm; Traralgon new theatre 2,674 sqm; Kernot Hall 1,696 sqm; Existing LPAC Traralgon 2,100 sqm; Moe Town Hall 1,300 sqm
<b>Activity:</b>	
Average Main Auditorium Fill Rates	60%
Split Community/Non-Community	40:60, reflecting current split
Split Performance Hire/Own Programming	65:35, reflecting current split
Commercial Hires as Proportion of Total Performances	11%, reflecting absolute increase from 5 per annum currently to range of 8-12 under all the three scenarios
Performance Year	48 weeks
<b>Revenue:</b>	
Community Grants Program	Continues to supplement Eisteddfod and other community hires
Hire Revenue per Hire	\$1,300, unchanged
Bought In Program Costs	\$7,500 on average (industry range of \$2,500 to \$20,000)
Average Adult Ticket Price	\$25, unchanged
Creative Victoria Grant	No change from current levels
Catering	Bar: \$1.62 spend per performance attendee (no change) Bar: cost neutral (no change) Café: cost neutral (Morwell); \$10 per head, 50 people per day, 300 days at royalty rate of 6% of gross receipts (Traralgon) Functions: \$20 per person, at royalty rate of 6% of gross receipts
<b>Costs:</b>	
Average Total Staff Cost per FTE	\$89,000, increase on 2014/15 level of \$74,000, reflecting different skill mix
Productivity	\$55,000 external revenue generated per FTE, consistent with current levels
Building & Facility Costs	Cleaning \$22 per sqm, no change on current Utilities \$16 per sqm, no change on current Building and Equipment Maintenance (new building) \$30 per sqm Building and Equipment Maintenance (old building) \$6 per sqm, no change on current





Table 19 Morwell Option – 5 year Financial Forecast

	Conservative \$	Mid-Range \$	Ambitious \$	Comparison between Mid-Range Scenario and 2013/14 Actual Results
<b>REVENUE</b>				
Creative Victoria Grant	60,000	60,000	60,000	Assumes no change on current levels but an increase may be forthcoming as this would be consistent with the experience of other new venues
Venue Hire Fees	363,000	386,000	405,000	61% increase reflecting higher commercial changes as result of improved facilities and growth in number of events
Ticket Sales and Similar Revenue	143,000	191,000	230,000	212% increase reflecting increase in own programming and overall audience growth
Catering Revenue	91,000	104,000	115,000	417% growth reflecting growth in attendees and inclusion of new stream of events/functions business
Sponsorship and Donations	80,000	80,000	80,000	See Section 8.4 for more detail
<b>TOTAL REVENUE</b>	<b>737,000</b>	<b>821,000</b>	<b>890,000</b>	
<b>EXPENDITURE</b>				
Staff	811,000	925,000	1,019,000	134% increase reflecting both growth in FTE and change in staff mix to include more senior venue management, programming and marketing skills
Programming and Promotion	289,000	388,000	469,000	259% increase assuming more self-programmed events and an increased investment per program
Buildings and Facilities	498,000	506,000	512,000	85% increase reflecting net increase in square metres and a higher cost per square metre for the new building to maintain at industry standard, coupled with impact of higher building utilisation
Other	56,000	64,000	71,000	91% increase largely tracking increase in FTE
<b>TOTAL EXPENDITURE</b>	<b>1,654,000</b>	<b>1,883,000</b>	<b>2,071,000</b>	
<b>NET COUNCIL SUBSIDISATION</b>	<b>917,000</b>	<b>1,062,000</b>	<b>1,181,000</b>	Represents a \$584,000 increase on 2013/14 level (\$478,000) and a \$537,000 increase on 2014/15 level (\$525,000)
Subsidisation per Attendee	\$11.13	\$11.73	\$12.15	Consistent with current levels
Subsidisation per Performance Attendee	\$38.67	\$33.40	\$30.72	Consistent with current levels
Subsidisation per Latrobe City Resident	\$11.68	\$13.53	\$15.04	Based on estimated resident population of 78,500 in 2023
Total Performance Attendees	23,728	31,789	38,445	180% increase, reflecting both increase in number of events and penetration into audience groups



	Conservative \$	Mid-Range \$	Ambitious \$	Comparison between Mid-Range Scenario and 2013/14 Actual Results
Total Functions/Event Attendees	58,708	58,708	58,708	Double 2013/14 numbers but consistent with 2012/13. Can fluctuate considerably with Kermot Hall numbers
Total Attendees	82,436	90,497	97,153	
Total Performances	79	106	128	117 % increase to service latent audience demand and drive growth
Total Functions/Events	228	228	228	42% increase largely reflecting demographic growth and opportunity of new facilities
Total All Events	307	334	356	
Number of Events per Week	6.40	6.96	7.42	On average 2 more events each week, across all venues taken together
Average FTE	9.11	10.39	11.45	83% increase to service greater activity and bring in broader range of skills. See Section 6
Square Metres under Management	5,161	5,161	5,161	Includes new Morwell site and refurbished Kermot Hall and Moe Town Hall.
Sponsorship and Donations per Performance Attendee	\$3.37	\$2.52	\$2.08	New revenue stream. See Section 8

Table 20 Traralgon Option – 5 year Financial Forecast

	Conservative \$	Mid-Range \$	Ambitious \$	Comparison between Mid-Range Scenario and 2013/14 Actual Results
<i>REVENUE</i>				
Creative Victoria Grant	60,000	60,000	60,000	No change
Venue Hire Fees	368,000	391,000	411,000	64% increase reflecting higher commercial charges as result of improved facilities and growth in number of events. Similar result to Morwell site,
Ticket Sales and Similar Revenue	145,000	195,000	236,000	219% increase reflecting increase in own programming and overall audience growth. Higher than Morwell reflecting larger catchment area around Traralgon
Catering Revenue	113,000	126,000	137,000	517% growth reflecting growth in attendees; inclusion of new stream of events/functions business; and revenues from café



	Conservative \$	Mid-Range \$	Ambitious \$	Comparison between Mid-Range Scenario and 2013/14 Actual Results
Sponsorship and Donations	80,000	80,000	80,000	See Section 8 for more detail
<b>TOTAL REVENUE</b>	<b>766,000</b>	<b>852,000</b>	<b>924,000</b>	
<b>EXPENDITURE</b>				
Staff	823,000	940,000	1,036,000	138% increase reflecting both growth in FTE and change in staff mix to include more senior venue management, programming and marketing skills to drive revenue growth (higher than at the Morwell site)
Programming and Promotion	296,000	396,000	479,000	267% increase assuming more self-programmed events and an increased investment per program
Buildings and Facilities	546,000	555,000	562,000	85% increase reflecting net increase in square metres under management and a higher cost per square metre for the new building to be maintained at industry standard, coupled with impact of higher building utilisation.
Other	57,000	65,000	72,000	97% increase largely tracking increase in FTE
<b>TOTAL EXPENDITURE</b>	<b>1,723,000</b>	<b>1,956,000</b>	<b>2,149,000</b>	
<b>NET COUNCIL SUBSIDISATION</b>	<b>956,000</b>	<b>1,104,000</b>	<b>1,225,000</b>	Represents a \$626,000 increase on 2013/14 level (\$478,000) and a \$579,000 increase on 2014/15 (\$525,000)
Subsidisation per Attendee	\$12.23	\$12.77	\$13.14	Higher than current levels and Morwell option, reflecting greater square metres under management
Subsidisation per Performance Attendee	\$39.49	\$34.01	\$31.21	Consistent with current levels; very similar to Morwell option
Subsidisation per Latrobe City Resident	\$12.17	\$14.06	\$15.61	Based on estimated resident population of 78,500 in 2023
Total Performance Attendees	24,214	32,452	39,254	186% increase, reflecting both increase in number of events and penetration into audience groups, assumed stronger at Traralgon
Total Functions/Event Attendees	53,974	53,974	53,974	85% increase 2013/14 numbers and actually lower than 2012/13. Can fluctuate considerably with Kernot Hall numbers.
<b>Total Attendees</b>	<b>78,188</b>	<b>86,426</b>	<b>93,228</b>	
Total Performances	81	108	131	122% increase to service latent audience demand and drive growth
Total Functions/Events	231	231	231	44% increase largely reflecting demographic growth



	Conservative \$	Mid-Range \$	Ambitious \$	Comparison between Mid-Range Scenario and 2013/14 Actual Results
Total All Events	312	339	362	
Number of Events per Week	6.49	7.06	7.53	On average 2 more events each week, across all venues taken together
Average FTE	9.25	10.56	11.64	86% increase to service greater activity and bring in broader range of skills. Related to revenue so slightly higher than for Morwell option. See Section 6
Square Metres under Management	5,670	5,670	5,670	Includes new theatre on Traralgon site, Kernot Hall and Moe Town Hall.
Sponsorship and Donations per Performance Attendee	\$3.30	\$2.47	\$2.04	New revenue stream. See Section 8



**CRITICAL REVIEW OF LATROBE PERFORMING ARTS & CONVENTION CENTRE 2015 - TIMEFRAMES**

DATE (2015)	ACTIVITY	VENUE/MEDIUM	ATTENDEES	MATERIALS/EQUIPMENT	STATUS	RESPONSIBILITY
<b>16 Feb</b>	Present project update to Councillors	Councillor Briefing Session				LCC/ Geografia
<b>Feb</b>	Develop factsheet					LCC
<b>Feb</b>	Develop cover letter					LCC
<b>Feb</b>	Arrange meetings with identified key stakeholders	TBC	TBC	TBC		Geografia
<b>16 Feb to 30 Mar</b>	<b>Community Engagement – Phase 1</b>					
<b>17 Feb</b>	Advertise community engagement activities	Council Noticeboard – Latrobe Valley Express				LCC
<b>17 Feb</b>	Publish community engagement activities	LCC Website – Community Engagement Hub Social Media Press Release				LCC
<b>17 Feb to 30 Mar</b>	Letter to all previous submitters to initial LPACC Feasibility Study and Business Case	Direct Mail/Email				LCC
<b>17 Feb to 30 Mar</b>	Community Listening Posts	TBC	TBC	TBC		Geografia/ LCC
<b>17 Feb to 30 Mar</b>	Meetings with identified key stakeholders	TBC	TBC	TBC		Geografia
<b>17 Feb to 30 Mar</b>	4 x Focus groups	TBC	Primary Stakeholders	TBC		Geografia
<b>17 Feb to 30 Mar</b>	Community Survey	LCC Website				Geografia/ LCC publish on website

DATE (2015)	ACTIVITY	VENUE/MEDIUM	ATTENDEES	MATERIALS/EQUIPMENT	STATUS	RESPONSIBILITY
30 Mar	Finalise survey results and feedback	Critical Review Report and Council Report				LCC /Geografia
30 Mar	Consultation compilation, analysis, reporting					Geografia
13 Apr	Critical Review Report to be considered to release for further community engagement	Council Meeting				LCC
<b>16 Apr – 14 May</b>	<b>Community Engagement – Phase 2</b>					
16 Apr	Publish Critical Review Report	LCC Website – Community Engagement Hub Social Media Press Release				LCC
16 Apr	Advertise for written submissions	Official Public Notice in Latrobe Valley Express giving official 28 days submission period				LCC
16 Apr	Advertise community engagement activities	Latrobe Valley Express – Council Noticeboard				LCC
16 Apr – 14 May	One on one meetings upon request	TBC	TBC	TBC		Geografia
16 Apr – 14 May	Face to Face meetings with identified key stakeholders	TBC	TBC	TBC		Geografia
16 Apr – 14 May	Arrange speaking times for persons wanting to talk on their written submission at the Special Council Meeting on Monday, 18 May	Council HQ	TBC	TBC		LCC
15 May	Finalise any reports required	TBC	TBC	TBC		LCC/ Geografia

DATE (2015)	ACTIVITY	VENUE/MEDIUM	ATTENDEES	MATERIALS/EQUIPMENT	STATUS	RESPONSIBILITY
<b>18 May – 20 Jun</b>	<b>Community Engagement – Phase 3</b>					
<b>18 May</b>	Special Council Meeting - written submissions and speakers	Council HQ				LCC
<b>1 Jun</b>	Finalise feedback	Council Report				LCC/ Geografia
<b>15 June</b>	Consideration of approval of Critical Review Report	Council Meeting				LCC
<b>16 Jun – 20 Jun</b>	<b>Community Engagement – Phase 4</b>					
<b>16 Jun – 20 Jun</b>	Provide feedback on final decision to participants who took part in the community engagement process	Letter/Email	TBC	TBC		LCC
<b>16 Jun – 20 Jun</b>	Publish final decision	LCC Website – Community Engagement Hub Social Media Press Release	TBC	TBC		LCC

## LPACC Community Engagement Methods and Contacts

Please find following a status update on the engagement that has taken thus far in regards to this project:

### Telephone Interviews

Organisation	Interviewee	Interviewer	Status
Latrobe Theatre Company	Bernie Detering	Geografia	Yet to confirm
Latrobe and Francis Orchestra	Joseph Bonnici	Geografia	Interviewed 20/3
Break a Leg Theatre Company	Dan Clancey	Geografia	Dan attended the first focus group
Advance Morwell	Keith Brownbill	Geografia	Interviewed 20/3
Traralgon Chamber of Commerce	Darren Howe	Geografia	Interviewed 18/3
Latrobe City Business Tourism Association	Peter Ceeney	Geografia	Interviewed 18/3
Moe Traders Association	Christine Waterhouse	Geografia	Interview arranged
Tourism Advisory Board	Cr Darrell White	Geografia	Cr attended the final focus group
Theatre Gippsland	Rob Robson	Geografia	Interviewed 20/3
Here, There & Everywhere Theatre Company	Phillip Mayer	Geografia	Yet to confirm
Regional Arts Victoria	Kane Forbes	Geografia	Yet to confirm
The Victorian Association of Performing Arts Centres	David Lloyd	Geografia	Yet to confirm
The Victorian Association of Performing Arts Centres	Jenny Ryssenbeek	Geografia	Yet to confirm
Strzelecki Showtime	Fiona Flanigan	Geografia	Yet to confirm
Creative Victoria	Fay Chomley	Geografia	Yet to confirm
LCC Coordinator Events and IR	Jason Membrey	Geografia	Interviewed 18/3
The Forge and Arts Hub (Bairnsdale)	Janice Hayes	Geografia	Yet to confirm
Portland Arts Centre	Karl Hatton	Geografia	Interview arranged
The Drum Dandenong	Greg Hordacre	Geografia	Yet to confirm
LCC Performing Arts	Kathleen Roberts	Geografia	Interviewed 17/3
Regional Development Victoria	Diane Tremigliozi	Geografia	Interviewed 16/3
Wangaratta Cultural Centre	Penny Hargreaves	Geografia	Interviewed 20/3
Latrobe City Council – Economic Sustainability	Geoff Hill	Geografia	Interviewed 20/3

### Focus Groups - 5&6 March 2015



<b>Organisation</b>	<b>Attendee</b>	<b>Interviewer</b>
Latrobe Theatre Company and Latrobe Valley Eisteddfod	Judy Degnan	Geografia
Latrobe Valley Eisteddfod	Rosemary Lansmore	Geografia
Latrobe Valley Eisteddfod	Marie Moulton	Geografia
Boolarra Folk Festival	Ariane Ramsay	Geografia
Break a Leg Theatre Company and Nanoo Nanoo	Dan Clancey	Geografia
Gippsland Acoustic Music Club	Barbara Brabets	Geografia
Moe/Newborough Dance Eisteddfod	Anna McKenzie	Geografia
LCC Manager Infrastructure Maintenance	Jody O'Kane	Geografia
Latrobe Theatre Company/Break a Leg Theatre Company	Lawrie Fildes	Geografia
LCC Coordinator Tourism	Linda Brock	Geografia
GECC	Christine Lee	Geografia
Latrobe Regional Gallery Advisory Committee	Cr Daryl White	Geografia

**13.5 AUTHORISATION TO PREPARE A PLANNING SCHEME  
AMENDMENT FOR THE LATROBE PLANNING SCHEME REVIEW**

**General Manager**

**Planning & Economic  
Sustainability**

**For Decision**

**PURPOSE**

The purpose of this report is for Council to consider a request to be made to the Minister for Planning, to prepare and approve Amendment C96 to the Latrobe Planning Scheme, under Section 20(4) *Planning and Environment Act 1987* (the Act). The Amendment proposes to update the Local Planning Policy Framework (including Municipal Strategic Statement – MSS) as a ‘policy neutral’ amendment.

**EXECUTIVE SUMMARY**

This report seeks Council consideration to prepare and approve a request to the Minister for Planning to prepare and exhibit a proposed amendment to the Latrobe Planning Scheme.

The amendment proposes to implement the recommendations of the recently adopted Latrobe Planning Scheme Review (October 2014) in particular:

- Prepare and exhibit a revised Local Planning Policy Framework (LPPF) updating land use planning strategies and policies of relevance to Latrobe City Council;
- Insert adopted policy into the Latrobe Planning Scheme which is consistent with the State Planning Policy Framework, has the appropriate strategic justification, been through a community consultation process and subsequently been adopted by Council;
- Reflect the changes at the local level to key Council ‘governance’ documents, notably the Council Plan and the Health and Wellbeing Plan; and
- Reflects the ‘Further Strategic Work’ outlined in the Planning Scheme Review Report.

A separate planning scheme amendment will be required to implement any changes to zones or overlays required to achieve the objectives and strategies identified by the Review.

The Amendment is considered to be ‘policy neutral’, addressing minor technical issues, removing out of date information, updating the structure and removing repetition

**RECOMMENDATION**

1. That Council requests the Minister for Planning to prepare and approve Planning Scheme Amendment C96 under Section 20(4) of the Planning and Environment Act 1987 to implement a 'policy neutral rewrite' of the Latrobe Planning Scheme which:
  - Amends the Local Planning Policy Framework to update land use planning strategies and polices of relevance to Latrobe City Council and to reflect the changes at the local level to key Council 'governance' documents, notably the Council Plan and the Health and Wellbeing Plan.
  - Insert adopted policy into the Latrobe Planning Scheme which is consistent with the State Planning Policy Framework, has the appropriate strategic justification, been through a community consultation process and subsequently been adopted by Council.
  
2. That Council commission a municipal wide Housing Strategy project partly funded from savings from the 2014/15 budget and as proposed in the 2015/16 budget. The Housing Strategy should address:
  - The most suitable locations for higher and lower density housing
  - Identification of areas requiring maximum protection from increased housing densities
  - Preferred lot densities, especially on the edges of townships in the developing estates
  - Infrastructure provision required to service new and increased housing growth areas
  - Open space connectivity to and from new and increased housing growth areas
  - The use of the most appropriate Victoria Planning Provision tools to achieve preferred housing objectives.
  
3. That Council continues to support the role of Strategic Planning Projects 2013/14 – Housing Strategy and Planning Scheme Review Project Reference Group represented by Councillors White, Kam, Middlemiss, Gibson and Rossiter.

**Moved:** Cr Middlemiss  
**Seconded:** Cr White

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

*Latrobe 2026: The Community Vision for Latrobe Valley*

In 2026, Latrobe Valley benefits from a well-planned built environment that is complementary to its surrounding, and which provides for a connected and inclusive community.

*Strategic Objectives - Governance*

In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.

*Latrobe City Council Plan 2013 - 2017*

*Theme 5: Planning for the future*

To provide clear and concise policies and directions in all aspects of planning.

*Strategic Direction – Planning for the future*

Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.

In consultation with the community, review Council's Municipal Strategic Statement and the Latrobe City Planning Scheme.

*Legislation*

The discussions and recommendations of this report are consistent with the provisions of the *Planning and Environment Act 1987* (the Act) and the Latrobe Planning Scheme.

**BACKGROUND**

A major review of the Latrobe Planning Scheme was identified in the Council Plan 2013-2017, including reviewing the LPPF, zones and overlays, and a general review of its format and content.

Latrobe City Council is required to review the Latrobe Planning Scheme every four years. Monitoring, auditing and reporting of the Planning Scheme is a mandatory requirement under the *Planning and Environment Act 1987*. A Project Reference Group, consisting of council staff and Councillors White, Kam, Middlemiss, Gibson and Rossiter, has provided input into the project.

The review of the Latrobe Planning Scheme was split into three stages:

- Stage One resulted in Council adoption of the *Latrobe Planning Scheme Review* (October 2014) at the November 5 2014 Ordinary Council Meeting;
- Stage Two resulted in the technical drafting of the Local Planning Policy Framework (including Municipal Strategic Statement) presented with this report and includes the preparation of draft Planning Scheme Amendment documents; and
- Stage Three involves the planning scheme amendment to affect the redrafted Local Planning Policy Framework (including Municipal Strategic Statement) submitted to the Minister for Planning as a 'policy neutral' update to the Latrobe Planning Scheme.

This report relates to the outcome of Stage Two and the commencement of Stage Three. This request is required to formally commence Stage Three of the Latrobe Planning Scheme Review Project.

A separate planning scheme amendment will be required to implement any changes to zones or overlays required to achieve the objectives and strategies identified by the Review.

A diagrammatic representation of the Planning Scheme Review process is shown below:

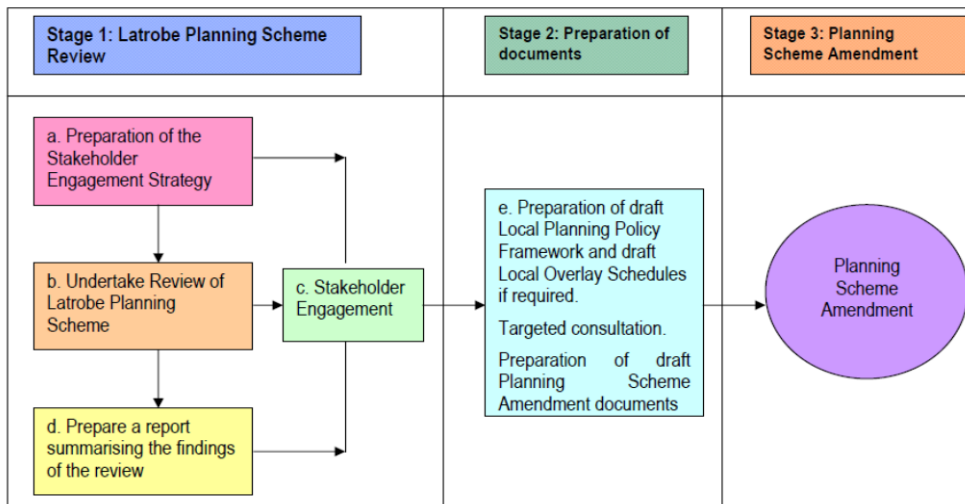


Figure One: The Latrobe Planning Scheme Review Methodology

### **INTERNAL/EXTERNAL CONSULTATION**

In producing the Review (Stage One), Council engaged with key stakeholders and conducted community consultation and engagement in line with DELWP's *Continuous Improvement Review Kit 2006*, Latrobe City Council's *Community Engagement Plan 2010-2014* and the adopted *Stage One Planning Scheme Review Stakeholder Engagement Strategy 2014*.

In the preparation of the new MSS and LPPF targeted consultation with key internal Council and government departments was undertaken. Further discussions with the Project Reference Group and at a Council Briefing were undertaken, to determine the best way to progress the Latrobe Planning Scheme Review and the Housing Strategy. It is considered the outcome reflects the intent of these discussions.

Council is requesting a prescribed amendment under Section 20(4) of the Act; therefore there will be no further opportunity for stakeholder consultation for this review. The redrafting of the MSS and LPPF is 'policy neutral' and refreshes the wording, structure, inserts adopted policies and strategic work completed by Council since the last review.

### **KEY POINTS/ISSUES**

Possible issues which need to be considered or may arise as a result of the proposed amendment, include matters relating to the structure of the LPPF; the currency of the coal provisions; the issue of introducing new policy; and the need to resource a further strategic work program.

#### **Contemporary and usable Planning Scheme**

There has been significant land use planning changes adopted at the State and local level since the 2008 Latrobe Planning Scheme review. The 2014 Review report recommends that the following new policies and initiatives should be better reflected in the scheme:

##### State

- New zones including revised Rural Zones, Residential Zones, Industrial Zones and Commercial Zones (2013)
- Melbourne Metropolitan Plan ('Plan Melbourne' – 2013)
- Gippsland Regional Growth Plan (2014)
- Bushfire management policy and controls (2013-014)
- Native vegetation policy and controls (2013-2014)
- Development contributions review (2013-2014)
- VicSmart planning permit application initiative (2014)

##### Local

- Latrobe 2026 (2011)
- Council Plan (2013-2017)
- Public Open Space Strategy (2013)
- Latrobe Municipal Public Health and Wellbeing Plan (2013-2017)

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

- Residential land supply rezoning initiatives (2011-2014)
- Traralgon Growth Areas Review (TGAR 2013-2014)

The 2014 Review Report recommends implementation into the Planning Scheme of a number of adopted strategic documents. These include TGAR (current Amendment C87), Lake Narracan Structure Plan (current Amendment C86), Public Open Space Strategy (proposed Amendment C91), Traralgon Station Precinct Master Plan (proposed Amendment C92), Traralgon Inner South Precinct Master Plan (proposed Amendment C92) and Car Parking Framework Review (current Amendment C94). These Amendments are underway and do not form part of the State 2 re-write.

### Structure

The structure of the new local policy has been retrofitted to be in line with the State Planning Policy Framework (SPPF), following the same headings and layout. It remains relatively streamlined to ensure unnecessary information does not 'weigh down' the Latrobe Planning Scheme, while still containing relevant objectives to fulfil Council's land use aspirations for Latrobe City. This structure will put Latrobe City Council in line with other recently reviewed local planning policies across the state, which uses headings and layout preferred by DELWP. The proposed LPPF has been reduced from 58 pages to 48 pages.

The draft Planning Policy Framework (as exhibited in 2014 by the State Government) proposed to streamline the LPPF and combine it with SPPF. Due to a change in government this has not yet been implemented.

### Coal Policy

Policy direction relating to coal remains relatively unchanged from previous versions of the LPPF. The Department of Economic Development, Jobs, Transport and Resources were consulted as a key stakeholder for Stage Two of this project. No changes to current coal policy were recommended.

### Policy Neutral

The adoption of the Planning Scheme Review Report at the Ordinary 5 November Council Meeting included the recommendation to: *'Reaffirms its commitment to apply the density of 11 lots per hectare to residential subdivisions and that this matter be a key consideration for the Stage Two Local Planning Policy Framework rewrite.'*

This recommendation had been considered and objectives to assist in achieving Council's preferred lot density of 11 lots per hectare into the Latrobe Planning Scheme were drafted. However until such a time as a full Housing Strategy is undertaken, there is a risk that Council leaves itself open to challenge at Victorian Civil and Administrative Tribunal (VCAT). A Planning Panel is not likely to support these objectives being introduced into a revised MSS and LPPF, due to Council not having the strategic planning justification to support the preferred lot density. After

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

discussions with Councillors at the PRG on the 6 March 2015 and Council Briefing on the 11 March 2015, it has been proposed to remove Council's preferred lot density from the redrafted MSS and LPPF and request the Minister for Planning to prepare and approve a Section 20(4) Planning Scheme Amendment.

Savings from undertaking a Section 20(4) Amendment could enable a Housing Strategy to be undertaken as a matter of urgency, which would provide the analysis and justification required for a lot density figure and neighbourhood character suitable to the growth aspiration of Latrobe City.

With the removal of the preferred lot density issue from the MSS and LPPF, the remaining rewrite is 'policy neutral', reflecting Council and state government adopted policies as described in the Latrobe Planning Scheme Review. The rewrite addresses minor technical issues, removes out of date information, updates the structure and removes repetition.

### Infrastructure Design Manual

At this stage Latrobe City has not adopted the use of the Infrastructure Design Manual (IDM), opting instead for the Latrobe City Design Guidelines. Council officers have made a submission to the IDM state-wide Planning Scheme Amendment process currently underway, led by Greater Shepparton City Council. The Latrobe City Council submission identifies where the IDM deviates from the Latrobe City Design Guidelines and requests that these deviations be managed as local differences in a series of schedules. Should the Panel support this submission, Council would look at adopting the use of the IDM.

### Further Strategic Work Program

As part of the Latrobe Planning Scheme Review Council has committed to an extensive further strategic work program. The ability to achieve this work is directed by Council and the business planning/budget process. Council must complete the further strategic work over the next four years to ensure the Latrobe Planning Scheme stays relevant, contemporary and to achieve the land use aspirations of Council.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

Latrobe City Council is required to review the Latrobe Planning Scheme every four years. Monitoring, auditing and reporting of the Planning Scheme are a mandatory requirement under the *Planning and Environment Act 1987*.

The adoption of the Review and subsequent forwarding to the Minister has fulfilled the statutory requirement. Implementing the findings of the review through a Planning Scheme Amendment is the next step towards meeting Council's economic and planning objectives and strategies outlined in the Council Plan 2013-2017.



## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

There is a risk to Council that if lot density objectives are included in the draft MSS and LPPF, Council may not receive authorisation to proceed with the amendment, due to the lack of strategic justification a Housing Strategy may provide.

Community and stakeholders consulted with as part of the first two stages of the Latrobe Planning Scheme Review may have expectations that Stage 3 will form part of a standard planning scheme amendment proposal for their consideration and comment. The recommended approach of seeking a prescribed Amendment under Section 20(4) will circumvent the opportunity for community and stakeholders to provide any further submissions to those already received in Stage One.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

Should Council decide to deviate from a 'policy neutral' planning scheme amendment, the likelihood of a Section 20(4) Planning Scheme Amendment is unlikely. Given that the lot density objective is the only new issue without strategic justification, it has been omitted from the current draft MSS and LPPF. This would result in a standard planning scheme process being undertaken with planning panel consideration which means considerable time, resources and budget implications for Council as follows:

- Estimated timeframe required for formal exhibition and planning panel consideration of a planning scheme amendment, including the need of a part time project manager (Senior Strategic Planner) to manage the planning scheme amendment process – minimum 6 months
- Estimated cost for planning panel preparation and hearing (if submissions are unresolved Council would request a planning panel to consider them) – minimum \$30k

Funds have been allocated in the current 2014-2015 budget year to enable the Stage 3 standard planning scheme amendment to proceed. However this report considers that a prescribed amendment could be requested of the Minister for Planning and the budget savings allocated to begin a Housing Strategy.

### **OPTIONS**

The options available to Council are as follows:

1. That a request be made to the Minister for Planning to undertake Amendment C96 as a 'policy neutral' update of the MSS and LPPF under Section 20(4) of the *Planning and Environment Act 1987*. With the savings in time, budget and resources, Council immediately commissions a Housing Strategy to begin.

Or

2. That Council's draft MSS and LPPF is redrafted to include the preferred lot density of 11 Lots a hectare. Following the changes Council support a request for authorisation to the Minister for

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

Planning, to authorise the preparation and exhibition of the Amendment C96 to the Latrobe Planning Scheme.

**CONCLUSION**

The proposed Amendment provides the opportunity to:

- Prepare and exhibit a revised LPPF updating land use planning strategies and policies of relevance to Latrobe City Council
- Insert adopted policy into the Latrobe Planning Scheme which is consistent with the State Planning Policy Framework, has the appropriate strategic justification, been through a community consultation process and subsequently been adopted by Council;
- Reflect the changes at the local level to key Council 'governance' documents, notably the Council Plan and the Health and Wellbeing Plan; and
- Reflects the 'Further Strategic Work' outlined in the Planning Scheme Review Report.

Implementing the findings of the Review through a planning scheme amendment is the next logical step towards meeting Council's economic and planning objectives and strategies outlined in the Council Plan 2013-2017.

It is considered that the proposed Section 20(4) Amendment is the appropriate method for progressing the implementation of Council's adopted recommendations of the Latrobe Planning Scheme Review.

**SUPPORTING DOCUMENTS****Attachments**

1. Draft Local Planning Policy Framework

## **13.5**

### **Authorisation to prepare a planning scheme amendment for the Latrobe Planning Scheme Review**

- 1 Draft Local Planning Policy Framework ..... 579**

## LATROBE PLANNING SCHEME

**21.01 MUNICIPAL PROFILE****21.01-1 Municipal profile**

Latrobe City Council ('Latrobe') is a large regional city extending over about 1400 sq. km which is centrally located in eastern Victoria, approximately 150 kilometres east of Melbourne.

Latrobe is part of the region traditionally owned by the Braiakaulung people of the Gunai/Kurnai clan. European settlement began in the Gippsland Plain in the 1840's and extended to most of the Strzelecki Ranges after 1900.

The population of Latrobe in 2013 was estimated at 73,846 people. The population is predicted to steadily increase reaching approximately 95,000 people by 2036. The median age of the population is 39 years with 35% of residents in the 0 -24 age group and only 12% over 65 years.

Latrobe is made up of four central towns of Churchill, Moe-Newborough, Morwell and Traralgon supported by smaller rural townships of Boolarra, Glengarry, Toongabbie, Tyers, Traralgon South, Yallourn North and Yinnar.

Latrobe has traditionally been recognised as the centre of Victoria's electricity industry, which is derived from one of the largest brown coal reserves in the world. Latrobe is also at the centre of a large forestry industry which services the largest pulp and paper mill in Australia.

Other industries in the area include food processing, retail, engineering, health and post-secondary education. Latrobe is one of Victoria's strongest regional economies with a Gross Regional Product (GRP) of approximately \$4 billion and a total estimated annual business turnover of \$10.3 billion. Latrobe's GRP represents 1.8% of Victoria's Gross State Product.

**21.01-2 Regional Profile**

The Gippsland Regional Growth Plan (GRGP) identifies the following challenges for growth in the region:

- sustaining and expanding economic activity through a period of diversification and transition.
- enhancing the resilience of the region's industries to economic restructuring and supporting business to reduce carbon emissions.
- building on tourism opportunities in the region.
- accommodating population growth, including managing growth with consideration of resources, environment and natural hazards.
- responding to changing community profiles including increasingly aged population.
- planning and adapting settlements and infrastructure to respond to the impacts of climate change, including increased risk from natural hazards.
- improving the efficiency, reliability and service levels of the region's transport network.
- delivering services and communications infrastructure for community, commercial and industrial users.

**21.01-3 Key planning issues**

The key planning issues that are identified in the State Planning Policy Framework of this planning scheme which Council believes that it needs to address are:

- Regional Growth Plan.
- Settlement.
- Environmental and Landscape Values.

## LATROBE PLANNING SCHEME

- Environmental Risks.
- Natural Resource Management.
- Built Environment and Heritage.
- Housing.
- Economic Development.
- Transport and Infrastructure.

**21.01-4 Strategic vision**

The Council Vision is contained in *Latrobe 2026* and is of:

*In 2026 the Latrobe Valley is a liveable and sustainable region with collaborative and inclusive community leadership.*

Integral to Council being focussed on achieving the above *Latrobe 2026* 'Vision' is the commitment of Council to its three core principles of *Sustainability, Liveability and Leadership*. The Council Plan (2013-2017) addresses five themes being:

- Job creation and economic sustainability.
- Appropriate, affordable and sustainable facilities, services and recreation.
- Efficient, effective and accountable governance;
- Advocacy for and consultation with our community; and
- Planning for the future.

**21.01-5 Strategic framework plan**

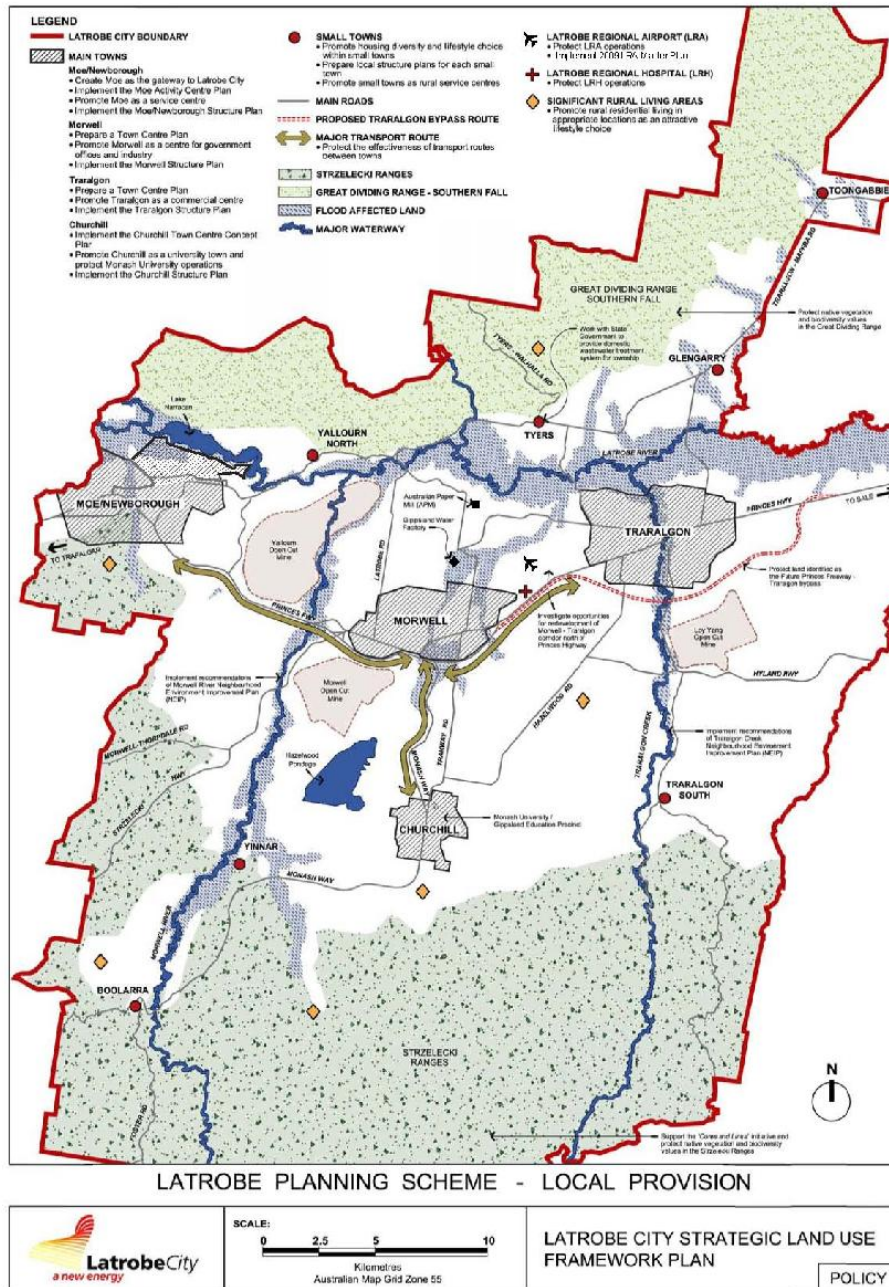
Council has prepared a Strategic Framework Plan which identifies the major strategic directions for the municipality. Key elements of the Strategic Framework Plan include:

- The implementation of Town Structure Plans.
- Implementation of the Latrobe Regional Airport Master Plan and Latrobe Regional Hospital Master Plan.
- Location of open cut coal mines in relation to established townships.
- Key transport links including the proposed Traralgon-Sale bypass.

LATROBE PLANNING SCHEME

Map 1 - Strategic Framework Plan

**Latrobe City Strategic Land Use Framework Plan**



## LATROBE PLANNING SCHEME

**21.02 HOUSING AND SETTLEMENT**

This clause provides local content to support Clause 11 (Settlement) and Clause 16 (Housing) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Areas).

**21.02-1 Key issue - Urban growth**

Urban settlement covers a relatively small area of the municipality. Latrobe City has a hierarchy of townships comprising four main towns, seven smaller settlements and a rural hinterland. While each town and settlement provides many of the services and facilities needed by their residents, they are not separate, self-contained entities which operate in isolation from each other. Based on 2012 population data, combined, the main towns of Moe (15,300 persons), Morwell (13,700) Traralgon (23,800) and Churchill (4,600) form a social, economic and physical entity. These towns are supported by settlements at Boolarra (1100), Glengarry (1400), Toongabbie (900), Traralgon South (300), Tyers (860), Yallourn North (1450), and Yinnar (600).

Latrobe experienced population growth between 2001-2006, recovering from a prolonged period of population and economic decline through the 1990's. It estimated that between 5,370 dwellings and 9,310 dwellings will be required to the year 2023 to meet population demand.

To accommodate this growth, there is a need to provide an equitable distribution of housing ensuring that residential property densities and lot sizes reflect community aspirations. Council's settlement strategy is based on medium density housing close to activity centres in the main towns; then infill development and urban renewal opportunities; and finally, lower densities on the edges of townships.

Council acknowledges that it needs to conduct a thorough analysis of the housing issues confronting the four main towns as well as the smaller towns. There is also a need for linkages between the growth plans for the towns and infrastructure sequencing plans. Service corridors are needed for infrastructure to dovetail with the growth areas which emphasise that there is a need for strategic infrastructure planning when developing growth areas.

**Objective 1**

To build upon the existing structure of the towns and settlements to create an integrated network of urban areas.

**Strategies**

- 1.1 Consolidate residential development within and around the existing towns.
- 1.2 Avoid unnecessary urban expansion and subdivision into rural land, especially high quality agricultural land.
- 1.3 Protect the effectiveness of the transport corridors between the towns.

**Objective 2**

To identify areas suitable for urban growth and development.

**Strategies**

- 2.1 Concentrate higher density residential development within 500m of existing rail stations and all activity centres.

**Objective 3**

## LATROBE PLANNING SCHEME

To contain urban development within distinct settlement boundaries.

**Strategies**

- 3.1 Maintain a clear separation between urban settlements facilitating the self-containment and individual identity of each town, with the exception of Morwell and Traralgon.

**Objective 4**

To achieve cost effective and orderly management of urban growth.

**Strategies**

- 4.1 Ensure that subdivision and development aligns with the delivery of key infrastructure items and the delivery of economic and employment growth.

**Objective 5**

To provide a diversity of choice in housing styles and designs.

**Strategies**

- 5.1 Encourage housing that meets a diversity of community needs incorporating a 'universal' dwelling design.  
 5.2 Support housing and accommodation for the ageing population.  
 5.3 Encourage the provision of an adequate supply of social housing.  
 5.4 Ensure that smaller household units are developed particularly near rail stations, all activity centres or employment areas.

**Objective 6**

To reduce industrial-residential land use conflicts.

**Strategies**

- 6.1 Provide buffers between industrial and existing and potential sensitive use areas where residential amenity is impacted.

**21.02-2 Key issue - Main Towns**

14/01/2010  
C62

The towns of Moe, Morwell, Traralgon and Churchill are recognised as being part of a 'networked city' as well as being places with unique characteristics which contribute to the local sense of place and provide diversity. Each town has developed its own role and function with Moe as a service centre; Morwell as a centre for government offices and industry; Traralgon as a commercial centre; and Churchill as a university town. Notwithstanding the 'networked city concept' it remains Latrobe City Council policy that each town grow in its own right and maintain at least a 15 year urban land supply within them.

Structure plans for Churchill, Moe, Morwell and Traralgon have been developed which are reflective of development constraints including the coal mining buffers that border them. The structure plans for all four towns provide for sustainable housing growth; growth of central activity areas and the small neighbourhood centres; the expansion of industrial precincts in Moe, Morwell and Traralgon; and the renewal of underutilised industrial sites for residential use in Moe, Morwell and Traralgon. The Town Boundaries on the Structure Plans of Moe, Morwell and Traralgon have been expanded in key areas to provide opportunities for greenfield urban residential and industrial development.

All these towns are enveloped by a variety of constraints including coal and stone extraction activities and associated buffers, land subject to inundation, industry, inter-town



## LATROBE PLANNING SCHEME

corridors and land that is fragmented into small rural allotments. Recent changes have added about another 800ha of land to the residential land supply in the main towns.

**Objective 1**

To facilitate development in accordance with Town Structure Plans.

**Strategies**

- 1.1 Encourage consolidation of urban settlement within the urban zoned boundaries in accordance with the adopted structure plans.
- 1.2 Discourage urban growth outside the urban development boundaries designated in the relevant structure plan.
- 1.3 Encourage medium density housing within and around the major town centres and neighbourhood clusters.
- 1.4 Contain new residential subdivision within residential areas shown on the relevant structure plans.
- 1.5 Maintain and enhance town and gateway entrances as shown on relevant structure plans
- 1.6 Discourage the fragmentation of high quality agricultural land adjoining township boundaries to allow for future urban growth opportunities.

**21.02-3**

10/02/2011  
C24(Part 2)

**Key issue - Small Towns**

The small towns of Boolarra, Glengarry, Tyers, Toongabbie, Traralgon South, Yallourn North, Yinnar and their surrounding rural living communities provide an attractive lifestyle choice in a rural setting. While a number of residents from these small towns and surrounding rural living areas work in the nearby main towns of Latrobe City, the residents often utilise the shops, schools and community facilities provided within the small towns.

Small Town Structure Plans for Boolarra, Glengarry and Tyers have been prepared to guide future land use and development towards 2023. Structure Plans are to be prepared for Toongabbie, Traralgon South, Yallourn North and Yinnar, guiding future growth and development opportunities that respond to community needs.

**Objective 1**

To facilitate development in accordance with Town Structure Plans.

**Strategies**

- 1.1 Retain and promote the rural atmosphere and residential service centre role of small towns.
- 1.2 Discourage the fragmentation of high quality agricultural land adjoining township boundaries to allow for future urban growth opportunities.
- 1.3 Promote opportunities for infill development within the township boundary.
- 1.4 Encourage increased diversity in residential allotment sizes that respects the rural character of townships.
- 1.5 Provide a visually attractive urban environment and enhance town entrances.
- 1.6 Encourage commercial development opportunities in and around town centres.
- 1.7 Encourage well-designed development that responds to local site conditions with regard to environmental and heritage values and existing physical and community infrastructure.

**Objective 2**

## LATROBE PLANNING SCHEME

To promote and support the infrastructure and development of small town communities within the municipality.

**Strategies**

- 2.1 Provide a safe and effective road and path network that allows for convenient movement of vehicles, public transport services, pedestrians and cyclists.
- 2.2 Facilitate the expansion of cycling and pedestrian paths within small towns in accordance with the Latrobe City Bicycle Plan.
- 2.3 Maintain and enhance existing public open space reserves in accordance with the Latrobe City Open Space Plan.
- 2.4 Implement Development Plans and Development Contribution Plans in identified areas.

**21.02-4 Key issue - Rural living**

Rural residential living has been a popular and attractive lifestyle choice in Latrobe and continues to attract residents. However, given the land use constraints around the major towns, a more sustainable approach to the consumption of limited developable land is now required. The main urban settlements have zone boundaries that serve to contain urban development. Low density residential development on the periphery of urban areas (other than growth corridors) provides a relatively compatible transition in the land use pattern to the rural areas and non-urban corridors.

Most towns and villages in Latrobe have complementary nearby rural living communities. Isolated subdivisions are another form of rural living found in the municipality. Emerging issue in the rural living areas relate to inappropriate subdivisions and amenity concerns associated with animal husbandry and other agricultural pursuits.

**Objective 1**

To identify appropriate locations for rural residential activity.

**Strategies**

- 1.1 Support rural living or low density residential development in appropriate locations, taking into account environmental constraints and current supply and demand for these types of subdivisions.
- 1.2 Discourage further rural living or low density residential development on the fringes of the major towns where land is designated as a long-term urban growth corridor.

**Objective 2**

To minimise conflict between agricultural activities and rural lifestyle.

**Strategies**

- 2.1 Discourage animal keeping facilities in rural living areas.
- 2.2 Discourage dwellings on small lots where potential exists for conflicts between dwellings and agricultural activities.

**21.02-5 Key issue - Land use buffers**

The major urban areas of Moe, Morwell and Traralgon are restricted from further development by a number of man-made and natural geographic features including:

- open cut mines at Yallourn, Morwell and Loy Yang.
- Latrobe River and associated flood plains.
- Strzelecki Ranges to the South and the Great Dividing Range to the north.

## LATROBE PLANNING SCHEME

- industry and associated amenity buffers (such as around Australian Paper);
- Latrobe Regional Airport.
- State Resource Overlay.
- Traralgon Freeway by pass.
- waste water treatment plants.

Buffers to the coal resource are intended to protect urban settlements from the impact of the coal industry. The urban (coal) buffers identified are:

- Areas between urban development and existing or future coal resource development based on the known impacts of earth subsidence, noise, dust, fire hazard and visual intrusion. Buffer areas extend for a distance of 750 metres from any urban settlement boundary to the perimeter of a 250 metre wide coal operational area. The total separation area between an urban settlement boundary and the crest of any future open cut development should not be less than 1 kilometre in width.
- An area 1 kilometre wide has also been identified on the western end of the Australian Paper Mill site at Maryvale so as to protect the mill from coal operations in the Yallourn mine as well as providing for future expansion.
- An area to protect the Morwell - Traralgon, Morwell - Moc, and Morwell - Churchill transport corridors from the potential conflict between settlement and urban functions and the exploitation of the coal resource.

In the identified coal related buffer areas, the mutual protection of urban amenity and coal development areas are the primary considerations. In existing urban areas and land identified for urban purposes, urban land uses are the primary considerations.

It is acknowledged that a state government review has been initiated (e.g. *Developing the Latrobe Valley Resources Future: Coal Resources Planning Provisions Review*) to assess the effectiveness of current planning policy and provisions to manage future access to the brown coal resource. The outcomes of this review are likely to result in changes to the current planning policy regime.

### Objective 1

To minimise the land use conflict between the coal resource development and other development and use in the municipality.

### Strategies

- 1.1 Discourage proposals for residential, rural living, commercial or non-coal related industrial land use and development within the buffer.
- 1.2 Discourage the subdivision of land to create allotments of less than one hectare.
- 1.3 Discourage the subdivision of land which would create average allotment densities of more than one allotment per 10 hectares.
- 1.4 Discourage the construction of a house on an allotment of less than one hectare created prior to 13 April 1988.
- 1.5 Discourage the construction of a house on land more than 200 metres from the nearest urban side of the urban buffer boundary unless the land; is vacant; is not capable of having a house erected within 200 metres of the nearest urban side of the urban buffer boundary; and existed as a separate lot prior to 13 April 1988.
- 1.6 Ensure that rural living is at least 200 metres from the nearest urban side of the buffer area boundary.

### Objective 2

To ensure that adequate spatial separation is provided between existing and proposed urban and industrial uses and existing or proposed coal development so as to reduce the likely effects of earth subsidence, the emission of noise, dust, fire hazard and visual intrusion.

## LATROBE PLANNING SCHEME

**Strategies**

- 2.1 Provide separation between coal development (and associated areas) and residential or other sensitive areas to alleviate the adverse effects of one upon the other.

**Objective 3**

To provide for uses and developments which are compatible to coal development and ancillary services within the buffer area.

**Strategies**

- 3.1 Encourage high amenity and low intensity uses of land such as farming and broad scale recreation uses within the buffer area.
- 3.2 Ensure that any use or development in a buffer area is undertaken in a manner which minimises the potential impacts from sources, including, earth subsidence, noise, dust, fire hazard and visual intrusion associated with open cut mining.
- 3.3 Ensure that the management, use or development of land in all buffer areas minimises the potential fire risk to open cut mining.

**21.02-6 Key issue - Open space**

A well planned and connected network of open space contributes to the liveability of a municipality and provides opportunities for active transport and passive recreation activities including walking, jogging and cycling. Open space reserves also provide venues for a range of formal sports clubs and groups to facilitate active participation in organised sports and physical activities.

The adopted town structure plans provide an overview of some opportunities to enhance existing networks and establish a broader system of paths, trails, walking loops and linear reserves.

Open space for all new subdivisions is to be levied at 10% of the net developable area as total open public space, of which a minimum of 5% must be unencumbered and where required, suitable for active open space development.

**Objective 1**

To achieve access to a range of appropriately maintained leisure, open space and recreational opportunities.

**Strategies**

- 1.1 Provide active and passive open space areas in new and existing communities.
- 1.2 Provide passive recreation and pedestrian and bicycle access along linear corridors.
- 1.3 Maximise opportunities for multi-use open space.
- 1.4 Co-locate activity centres with complementary uses such as public open space or schools, where appropriate.
- 1.5 Encourage a well designed open space and path network that includes regular intervals of well arranged seating that promotes opportunities for social interaction, provides public amenities and shelter.

**Objective 2**

To integrate landscape and environmental features into the regional open space system.

**Strategies**

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- 2.1 Expand open space opportunities by use of shared trails linking corridors and recreation reserves.
- 2.2 Create a network focussing on open space for recreational cycling and walking routes.
- 2.3 Encourage connectivity of open space to natural environment and landscape features.

**21.02-7 Key issue - Liveability**

Council is committed to creating environments that support its community's health and wellbeing. The Latrobe City Municipal Public Health and Wellbeing Plan 2013 – 2017 (MPHWP) demonstrates Council's commitment, and recognition of its role as a key partner in enabling community members to live in a diverse and equitable community where their health and wellbeing is a priority.

'Liveability' includes a number of interrelated elements, including community safety, provision of health services, education services, mobility and accessibility and a 'sense of place'. Latrobe offers families and individuals high quality health care, education, housing affordability, as well as recreational, cultural and sporting facilities and a diverse range of employment opportunities. *Healthy Urban Design Good Practice Guideline – Meeting Healthy by Design Objectives* is an initiative of the MPHWP which encourages:

- Walkable neighbourhoods, including safe and attractive pedestrian and cycle routes.
- Design of legible street networks that are clear and easy to navigate.
- Open space that incorporates a range of shade, shelter, seating and signage.
- Building design that maximises natural surveillance and active street frontages.
- Maximised public transport options and connections to all key destinations.
- Community spaces or buildings that incorporate a variety of uses.
- No opportunities for concealment and entrapment along paths and community spaces.
- Minimal fencing and walls, with maximum lighting, windows, doors, articulation to facades and use of low walls and transparent fencing.

**Objective 1**

To provide for walkable neighbourhoods, ensuring public transport, shops, public open space and mixed-use community centres are as close as possible to all dwellings.

**Strategies**

- 1.1 Promote active lifestyles and avoid social isolation by designing new dwellings to be close to user-friendly pedestrian and cycle paths that incorporate shade, toilet facilities, seating and directional signage where possible.
- 1.2 Encourage community centres to be located within a 400-800 metre walk of all dwellings.

**21.02-8 Implementation**

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10

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**21.03 ENVIRONMENTAL AND LANDSCAPE VALUES**

This clause provides local content to support Clause 12 (Environmental and Landscape values) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Areas).

**21.03-1 Key issue - Sustainability**

Council acknowledges the linkages between the natural environment and economic sustainability. The natural environment provides resources such as coal, timber and farmland that help drive the economy. The natural environment is also where the waste from economic activity is put by way of emissions to air, water and land. Council acknowledges the need for an approach which balances economic, social and environmental values.

Latrobe enjoys one of Australia's most beautiful natural environments. Latrobe's biodiversity, water and air quality must continue to remain of the highest quality. Latrobe will strive to increase and maintain natural vegetation, improve air and water quality, reduce and reuse waste, encourage energy-efficient technologies, educate the community and industry in better waste management and environmental protection.

Built form and urban infrastructure can contribute substantially to the demand for energy. Urban form impacts on the ability of buildings to be energy efficient, particularly through solar orientation and access. Urban form also impacts on the need for people to use transport, including to access services, social connections, recreation opportunities, education and employment. Consolidated urban areas provide for shorter travel distances, walking and cycling, and support more effective public transport.

**Objective 1**

To maintain and improve the ecological integrity of rural and urban areas.

**Strategies**

- 1.1 Adopt precautionary behaviour where there are possible or identified threats of serious or irreversible environmental damage.
- 1.2 Protect environmental assets as a first priority, enhance as the second priority, and consider replacement as a last resort.

**Objective 2**

To encourage environmentally sustainable land use and development.

**Strategies**

- 2.1 Promote low energy travel modes, such as walking and cycling, through the design of new subdivision and development.
- 2.2 Encourage higher densities in appropriate locations near public transport and activity centres to help shorten travel distances.
- 2.3 Ensure that housing and other buildings are energy and water efficient.
- 2.4 Encourage storm water capture, recycled water and other means to reduce urban water demands.

**21.03-2 Key issue - Significant environments and landscapes**

Council attempts to find a balance in advancing the City's built environment and liveability while planning for and protecting its natural environment. Latrobe City contains a rich diversity of plants, birds and other wildlife and extends over parts of three natural bioregions.

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To the north, Latrobe City contains rugged and heavily forested foothills of the Great Dividing Range, part of the *Highlands – Southern Fall bioregion* that extends across the whole southern fall of the Great Dividing Range. Running through the centre of Latrobe City is the broad plain of the Latrobe Valley, part of the *Gippsland Plain bioregion* that extends from Melbourne to the Gippsland Lakes. To the south, Latrobe City contains the northern slopes of the Strzelecki Ranges, part of the *Strzelecki Ranges bioregion* which extends towards Warragul in the west and Yarram in the East.

**Objective 1**

To protect native flora and fauna species and their habitat across the municipality.

**Strategies**

- 1.1 Encourage the protection of remnant native vegetation on private land.
- 1.2 Enhance the condition and quantity of native vegetation.
- 1.3 Encourage the protection of native fauna species and their habitat on private land with an emphasis on protecting threatened species.
- 1.4 Maintain the natural asset value of Council road reserves.

**Objective 2**

To increase the extent and quality of native vegetation and biodiversity across the municipality.

**Strategies**

- 2.1 Encourage the development of wildlife corridors and links across the municipality.

**Objective 3**

To protect and enhance the visual, natural and cultural heritage values of rural landscapes.

**Strategies**

- 3.1 Ensure that development protects and enhances the key landscape features of Latrobe.

**21.03-3 Implementation**

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10.

## LATROBE PLANNING SCHEME

**21.04 ENVIRONMENTAL RISKS**

This clause provides local content to support Clause 13 (Environmental Risks) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Areas).

**21.04-1 Key issue - Greenhouse and Climate Change**

As the Australian economy seeks to decarbonise, brown coal based power generation will not provide the opportunities in the future that it has in the past. However, a carbon constrained world presents new opportunities for Latrobe City to diversify its economy, by attracting new industries as well as capitalising on its strengths, expanding existing businesses, services and skills in the region.

Council has developed a range of policies and actions to ensure that it is ready for a low carbon future. Council has prepared *Positioning Latrobe City for a Low Carbon Emission Future* (April 2010). The key impacts of a changing climate for Latrobe include:

- changes in rainfall patterns that pose challenges for water supply and agriculture.
- more common intense rainfall events which increase the risk of severe flooding.
- higher temperatures which increase the likelihood of large and intense fires.
- increased number of hot days and heatwaves which place substantial pressure on health services and infrastructure.
- biodiversity changes.

**Objective 1**

To reduce the effects of climate change.

**Strategies**

- 1.1 Evaluate use and development proposals having regard to climate change implications.
- 1.2 Evaluate proposals with a view to limiting their potential greenhouse effects.

**Objective 2**

To promote the use of water sensitive urban design (WSUD), including stormwater re-use.

**Strategies**

- 2.1 Promote greater use of water harvesting and water reuse within residential areas.
- 2.2 Ensure all commercial, industrial and residential developments incorporate WSUD techniques particularly into their landscaped areas.

**Objective 3**

To reduce pollution from local domestic, transport and industry sources.

**Strategies**

- 3.1 Support the development and implementation of new technology designed to reduce greenhouse gas emissions.
- 3.2 Encourage the reduction of pollution from Council activities as well as local domestic, transport and business sources.

**Objective 4**



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To promote energy efficient building design.

### Strategies

- 4.1 Encourage new residential buildings to achieve a seven star energy rating.
- 4.2 Encourage all new commercial and industrial buildings to incorporate energy efficient design measures. (CS)

### 21.04-2 Key issue - Floodplains

14/01/2010  
C62

Flooding is a natural hazard that can severely disrupt communities and may cause extensive damage, stock loss and in extreme events loss of life. Careful planning and management of floodplains has been effective in reducing damage and costs associated with flood events.

### Objective 1

To minimise the potential for loss of life, risk to health and damage to property as a result of flooding.

### Strategies

- 1.1 Discourage urban or rural residential development on areas subject to regular flooding.
- 1.2 Ensure the floodway is maintained and that the free passage and temporary storage of flood waters is not compromised.
- 1.3 Discourage subdivision, other than realignment or consolidation, in a floodway.
- 1.4 Discourage houses, other than replacement houses, in a floodway.
- 1.5 Require houses to be located above the 1:100 year flood level.
- 1.6 Require building envelopes for houses provide an adequate effluent disposal area which is free from flooding.
- 1.7 Discourage uses such as sewerage treatment and pumping works, intensive animal industries and sanitary landfill depots on flood prone land.
- 1.8 Ensure that the natural function of the floodplain to convey and store flood waters is preserved.

### Objective 2

To sustainably manage floodplains.

### Strategies

- 2.1 Discourage any urban expansion within floodplains that reduces flood storage, obstructs flood flows or increases the risk to life, health and safety.
- 2.2 Discourage raised earthworks that reduce natural flood storage, obstruct and/or redistribute flood flows, and increase flow velocities and levels.
- 2.3 Discourage developments in residential areas that encroach on 1:100 year floodplains or existing waterways.

### 21.04-3 Key issue - Waste Management

Latrobe City Council recognises waste management as a fundamental element of caring for the natural environment and has adopted a *Latrobe City Council Waste Management Strategy 2010-2017* to provide sustainable solutions to the collection, disposal and resource recovery of waste.

14/01/2010  
C62

Council recognises that disposing of urban solid waste by means of landfill is not a sustainable waste management strategy. Across the world governments have introduced

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legislation which limits the amount of waste that can be directed to landfill. This factor, coupled with the development of community waste education initiatives, leads to an increase in avoidance, reuse and recycling and a move from disposal to a focus on materials recovery.

**Objective 1**

To encourage waste minimization and enhance resource recovery.

**Strategies**

- 1.1 Develop waste management facilities, techniques and technologies to advocate waste avoidance or minimisation, enhance resource recovery and achieve 'final storage quality'
- 1.2 Adopt a regional approach to waste management.

**21.04-4 Key issue - Fire**

14/01/2010  
C62

Extensive areas of the municipality are prone to bushfires. Council has adopted the *Municipal Fire Management Plan (2013-2016)* which has the primary objective of the protection of life and property. Large areas of grassland, scrub and forest have been identified on the Bushfire Management Overlay. A high level of hazard has also been identified in areas of rural residential development in the vicinity of the foothills of the Strzelecki Ranges. It is important that all development and use of land have regard to fire safety measures. Planning can assist to decrease the level of risk to life and property and biodiversity and to facilitate the efforts of emergency service in event of fire.

**Objective 1**

To minimise the risk to life, property and the environment from bushfire.

**Strategies**

- 1.1 Ensure that the design, siting and layout of subdivision increase protection from fire.
- 1.3 Ensure that use and development include adequate fire protection measures.

**Objective 2**

To ensure that new land use and development does not increase the level of fire risk.

**Strategies**

- 2.2 Ensure that new land use and development includes adequate fire protection measures.
- 2.4 Support fuel reduction programs in rural residential interface areas.

**21.04-5 Key issue - Mine fire**

Council has had concerns for some time around the general remediation of brown coal mines including the Hazelwood mine. Council is actively involved in the planning for the short, medium and long term remediation of the existing mines and the planning for the use of brown coal in the future in order for it to best manage the growth of the municipality. Overall, Council acknowledges;

- There is a risk of plantation fires around mines. Vegetating the buffer areas was evidently a recommendation of the Land Conservation Council reports of the 1970's but in light of the 2014 mine fire, there is a potential problem with plantations being so close to a fire source. This is particularly significant for Morwell which is

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surrounded by plantations and raises a town safety issue that became apparent with the 2014 mine fire.

- Many infrastructure assets are also in areas that are at danger from fire.
- Timber plantations within buffer areas, plantation buffer distances from coal mine and separation distances between towns and mines all need to be assessed and considered.
- The 2014 mine fire has given cause for further consideration to be given to allowing further open cut mine expansion towards and between the existing major towns of Morwell and Traralgon.
- The existence of a fault line between the Yallourn and Hazelwood mines (and running through the entire Latrobe Valley) Council has recently seen the need for Council to action land stabilisation remedies to ensure the integrity of the Princes Highway to the south of Morwell.
- It is important to avoid establishing residential areas within close proximity to mines. If areas reserved for resources are mined then this will likely affect the liveability of the main towns (such as 'Area H' near Traralgon).

**Objective 1**

To minimise the risk to life, property and the environment from fire within mine sites.

**Strategies**

- 1.1 Ensure that the design, siting and layout of open cut mines and urban settlements are protected from fire.

**21.04-6 Implementation**

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10

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**21.05 NATURAL RESOURCE MANAGEMENT**

This clause provides local content to support Clause 14 (Natural Resource Management) of the State Planning Policy Framework.

Specific references to individual towns are also included in Clause 21.09 (Local Areas).

**21.05-1 Key issue - Agriculture**

Agriculture is important to the economic, social and physical development of the municipality. The generally reliable rainfall has long supported various agricultural endeavours including dairy farming. The area also benefits from ample natural timber resources. There is a considerable area of rural land within the municipality which has multiple roles in managing and sustaining that land. The agricultural industry in Latrobe is worth about \$57 million a year and is based primarily on dairy farming (45% of the value of Latrobe's agricultural production) and livestock (a further 36% of the value).

While the protection of rural land for agriculture is not as significant an issue as the protection of coal and plantation resources, there remains a need to improve industry efficiency, protect the agricultural land resource base and encourage new sustainable enterprises amid ongoing structural changes in rural industries. Moreover, because of its naturally high rainfall, Latrobe is well placed to supply food production given dry conditions in other parts of the state.

Pressure for rural residential development is acknowledged as a legitimate land use however high value rural land and natural resources need to be protected. Problems have arisen with the different expectations of a life-styler and a farmer in terms of noise, domestic animals, hours of operation and right-to-farm issues. The ever present threat of bushfires is another constraint and is often not a comfortable mix with a rural residential outcome.

**Objective 1**

To protect productive agricultural land from non agricultural use and development.

**Strategies**

- 1.1 Encourage productive agricultural land to be used primarily for farming and horticultural purposes except where the land supports significant vegetation of local provenance.
- 1.2 Limit subdivision, use or development of land that is incompatible with the use of the land for a sustainable resource.
- 1.3 Encourage land uses that complement and enhance the viability of agricultural activity.

**21.05-2 Key issue - Water**

Water is among Latrobe's most valuable resources, and water quality, security and management are key opportunities. Latrobe City has a more secure water supply and larger capacity sustainable waste water system than any other Victorian region. The area supports a proclaimed potable water catchment and there is a clear objective that the catchment must have a low risk for drinking water.

The Gippsland Region Sustainable Water Strategy has found that the Gippsland Region is one of the few areas in Victoria where the available water resources have not been fully allocated. In addition, it is anticipated that while climate change will lead to reduced rainfall in the region, relative to other districts, Gippsland will retain superior rainfall. This available water could be used to support additional development and agricultural activity in the region; with Gippsland increasingly becoming the food bowl of Victoria.

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**Objective 1**

To protect and improve water quality and river health.

**Strategies**

- 1.1 Provide buffers to waterways to maintain water quality.
- 1.2 Encourage Water Sensitive Urban Design principles in all developments.
- 1.3 Maintain community wetlands and infrastructure (such as gross pollutant traps) in urban areas.
- 1.4 Protect potable water supply catchments.

**Objective 2**

To reduce corporate and community water use.

**Strategies**

- 2.1 Promote water re-use and water conservation in new developments to maximise the amount of water available for river health and human use.
- 2.2 Promote the use of recycled water for industrial, agricultural and domestic land use and development.

**Objective 3**

To protect waterways, aquatic areas, floodplains, wetlands, swamps and catchments.

**Strategies**

- 3.1 Protect, enhance and reinstate environmental values of the waterway.
- 3.2 Encourage connectivity of waterways to open space and other natural environment and landscape features.

**Objective 4**

To protect riparian land, vegetation communities, waterway valleys and escarpments.

**Strategies**

- 4.1 Protect and enhance waterway corridors through use of good urban design, appropriate built form, water sensitive urban design, appropriate plantings and land management.

**21.05-3 Key issue - Sustainable Technologies**

The Latrobe Valley brown coal electricity generators supply around 90% of Victoria's electricity. The low cost electricity generated here has contributed to Victoria's economic prosperity. However the high moisture content of brown coal has meant that greenhouse gas emissions produced are high compared to other forms of electricity generation and also make the coal unsuitable for bulk exports. Research is being undertaken to examine alternative uses for brown coal generation and to develop clean coal technologies, such as coal drying processes, carbon capture and storage, bio-sequestration and algae based technology.

Situated on the fringe of Latrobe Valley, the Gippsland Basin is one of Australia's most prolific and mature petroleum provinces. With approximately two thirds of the basin located offshore from the Gippsland coastline it is a major source of natural gas with some

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24 oil and gas fields currently in operation. Emerging Victorian and Australian Government carbon and energy policies will provide opportunities to harness local resources to achieve long term sustainable technologies.

**Objective 1**

To protect and promote sustainable technologies that create prosperity resulting from natural resource use and research.

**Strategies**

- 1.1 Improve the balance between reliance on existing natural resources and the need to promote the liveability of the Latrobe community as an attractive region to live and work.

**21.05-4**

26/04/2013  
C75

**Coal Resources**

The City's rich brown coal reserves, forestry and agriculture all represent a major contribution to Victoria's economy. Latrobe City is an urban and rural area, built on one of the largest brown coal reserves in the world, and traditionally recognised as the centre of Victoria's electricity industry. The electricity generated in the Latrobe Valley from brown coal resources has contributed significantly to the state's economic prosperity. Latrobe City currently supplies over 90% of Victoria's electricity generation requirements; around 11% of the population is directly employed within the sector, with an additional eight percent of jobs indirectly supported within the local economy. The electricity generation sector accounts for 21% of the area's Gross Regional Product.

The coal resource in the Latrobe Valley remains an asset of national and state importance and is a significant component in the economy of the municipality. The following key issues are relevant to the development of the coal resource:

- The significance of the Gippsland Coalfields Policy Area in providing, directly or indirectly, the major proportion of Victoria's energy supplies, in the form of brown coal.
- The presence of established communities, including the urban settlements of Latrobe City, as a networked urban system.
- The significance of fire as a major hazard to people, plant and equipment employed in the winning and utilisation of brown coal and of the major consequences of interruption of the electricity supply system.
- The importance of established agricultural activity.
- The water resource, both surface and underground, to the quality of the regional water catchment.
- The profound effect of major industries on the physical and social environment of the municipality.
- The need for co-operation between all levels of government, the private sector and the community and the importance of the adequate recognition of all sectors in decision making for the region.

The Gippsland Coalfields provide, directly or indirectly, the major proportion of Victoria's energy supplies, in the form of brown coal. There are two separate issues with the development of the Gippsland Coalfields being; the resource itself, and the buffer area from the resource. The categories shown in the Gippsland Coalfield's Policy Area and associated Maps indicate timeframe and location of when the coal resource may be utilised. This includes:

- Category A coalfields - development possible within 10-30 years.
- Category B coalfields - development possible within 30-60 years.
- Category C coalfields - Other coal areas – development more than 60 years off.

In the coal resource area, the extraction and use of coal is the primary consideration.

## LATROBE PLANNING SCHEME

**Objective 1**

To facilitate orderly coal development so that the coal resource is utilised in a way which is integrated with state and local strategic planning.

**Strategies**

- 1.1 Ensure that coal excavations, overburden dumps and other associated development are planned, managed and progressively rehabilitated to the highest practicable future use.
- 1.2 Ensure that coal resource development and use takes into account the interests of the existing and future Victorian community, the needs and views of the local community, equity in the provision and distribution of employment, housing and community services and the likely social and environmental impacts of development.
- 1.3 Encourage when practicable and cost effective, the use of quarry and other materials recovered from coal development.
- 1.4 Ensure that transport corridors are protected and maintained.

**Objective 2**

To designate land for future coal resource development or for buffer areas on the future use of land.

**Strategies**

- 2.1 Ensure that planning for coal resource development and use takes into account areas and features of recognised value for nature conservation, recreation, tourism, and landscape quality.
- 2.2 Ensure that the catchments of the river systems and underground waters are planned and managed to ensure adequate water supply and quality for development, management and use of water resources complementing and integrating with coal resource planning in the local and regional catchment.

**Objective 3**

To ensure that new development is not undertaken in such a way as to compromise the effective and efficient use of existing or future infrastructure or resources such as the airport, coal resources, timber production, and high quality agricultural land.

**Strategies**

- 3.1 Ensure that development and use of coal resources ameliorates adverse effects and promotes the positive benefits of developments.
- 3.2 Ensure that timber production is planned in a manner which will complement the orderly development of the coal resource.
- 3.3 Ensure that timber production takes into account the need for effective fire protection for the coal resource.
- 3.4 Encourage land uses in the coal resource area prior to coal development which are productive and minimise the social and financial cost of coal development.
- 3.5 Encourage extensive animal husbandry and other rural land uses in areas of potential coal production.
- 3.6 Discourage 'incompatible uses' such as residential, rural living, commercial or non coal related industrial land use and development in areas of potential coal production.
- 3.7 Ensure development surrounding the Latrobe Regional Airport is consistent with the Latrobe Regional Airport Master Plan.

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**Objective 4**

To ensure that the use and development of land overlying the coal resources recognises the need to conserve and utilise the coal resource in the context of overall resources, having regard to social, environmental, physical and economic considerations in order to ensure a high quality of life for residents.

**Strategies**

- 4.1 Encourage existing uses on land identified as required for coal exploitation to continue until such time as the land is required for brown coal winning or processing.
- 4.2 Consider alternative uses on a temporary basis if it can be demonstrated that they would not adversely affect the future development of the coal.

**Objective 5**

To maximise the protection of the coal resource to ensure resource security in the future.

**Strategies**

- 5.1 Ensure that environmental quality and protection against pollution are primary considerations in coal resource planning.

**Objective 6**

To ensure that the use, development and management of land in the coal resource areas mutually protect urban amenity and coal resource development as well as the continued social and economic productive use of land.

**Strategies**

- 6.1 Encourage uses of land which maintain and enhance land use capability, productivity and quality of the landscape and minimise fire and soil erosion hazards.
- 6.2 In making decisions, ensure that if strategies relating to land use conflict with one another then:
  - In the coal resource area, the extraction and use of coal should be the primary consideration. At every stage of development of that coal due account should be taken of the other principal resources of the coal resource area. Land uses which do not impede that objective may be considered in that policy area.
  - In the identified coal related buffer areas, the mutual protection of urban amenity and coal development areas are to be primary considerations.
  - In existing urban areas and land identified for urban purposes, urban land uses should be the primary considerations.
  - In high quality agricultural areas, the use of land for rural activities is to be the primary consideration. However, coal development remains the primary consideration in relation to those identified coal areas or for land required for facilities for or associated with the use of that coal.
  - Timber production has a lesser priority than the extraction of coal and agricultural land use activity unless a proper economic assessment shows it to be viable.
  - Within zoned urban areas and areas identified for future urban use, low density residential and rural living use and development has a lower priority than timber production, the extraction of coal, high quality agricultural activity and urban land uses.

**21.05-5 Implementation**



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The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10.

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**21.06 BUILT ENVIRONMENT AND HERITAGE**

This clause provides local content to support Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

Specific references to individual towns are included in Clause 21.09 (Local Areas).

**21.06-1 Key issue - Urban environment**

The community is increasingly demanding high quality architectural and urban design outcomes for built form and open spaces. The appearance of rural, industrial, retail and residential areas and main road approaches to urban centres is considered important in maintaining a strong level of civic pride. A consistent landscaping treatment of private land and road reserves can also have a significant effect on the appearance and visual amenity of an area. In addition, the siting of buildings can have a critical impact on visual appearance within both urban streetscapes and rural landscapes.

**Objective 1**

To improve the quality of development through improved design, siting and landscaping.

**Strategies**

- 1.1 Ensure that urban design and landscaping is addressed in managing the visual amenity of gateways, transport routes, streets and places.
- 1.2 Ensure that multi-unit housing is well landscaped, with tree and shrub selection creating a positive visual image.
- 1.3 Ensure there is adequate scope for canopy tree planting in private properties and within street reservations.
- 1.4 Provide adequate reserve widths or tree reserves in new subdivisions to respect road safety and power lines.
- 1.5 Ensure adequate road reserve widths in new subdivisions to respect road safety and neighbourhood character.

**Objective 2**

To provide a visually attractive urban environment which displays a high level of civic pride and community satisfaction, and creates a positive image.

**Strategies**

- 2.1 Promote and support high quality urban design within the built environment.
- 2.2 To encourage the use of wood in the construction and fit out of Council buildings and infrastructure.
- 2.3 Continue to improve the urban design elements of urban areas throughout the municipality and to upgrade degraded areas.
- 2.4 Improve and maintain visual appearance along key transport routes.

**Objective 3**

To encourage articulation of building facades and street integration to provide for safe and active neighbourhoods.

**Strategies**

- 3.1 Support a state-wide approach to Universal Housing Design.
- 3.2 Ensure lighting is carefully designed in all parks and linear open spaces, especially along walking and cycling paths.

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**Objective 4**

To create high quality, safe and active retail areas.

**Strategies**

- 4.1 Encourage all retail outlets to provide active street frontages, including low level advertising signage to street frontages, to foster a community spirit and promote community involvement.
- 4.2 Encourage retail areas near to community centres to be walkable spaces that promote physical activity and provide infrastructure such as bicycle racks.
- 4.3 Encourage high quality community art in public spaces to foster community spirit, as well as provide attractive, quality neighbourhood designs.
- 4.4 Encourage community centres to be designed to ensure active street frontages and promote 'eyes on the street' for natural surveillance.
- 4.5 Encourage community centres to be located near schools, public transport, civic areas and parks.

**21.06-2 Key issue - Heritage**

Latrobe City has a rich and diverse cultural heritage that illustrates how the landscape has been changed by indigenous and non-indigenous peoples. Gippsland was occupied by the Gunai/Kurnai peoples for many thousands of years prior to European settlement. The first non-indigenous people to visit Gippsland were explorers and pastoralists followed which led to the development of agricultural industries such as grazing and dairying.

The greatest change to the cultural landscape was to come in the twentieth century with the exploitation of the vast brown coal reserves and whole towns were born, while some disappeared and others were changed forever.

The diverse history of the area is reflected in the heritage places that have been identified by the *Latrobe City Heritage Study 2010*, which incorporates the findings of two previous studies; *Traralgon Heritage Study 1992* and the *Latrobe Heritage Study 1991*. The heritage places include archaeological sites, township precincts, buildings, memorials, gardens, factories and trees.

**Objective 1**

To ensure that the heritage of Latrobe City is protected and conserved.

**Strategies**

- 1.1 Ensure that all heritage places and precincts of local or state significance receive appropriate statutory protection.

**Objective 2**

To identify, recognise and protect places of heritage, cultural and social significance.

**Strategies**

- 2.1 Ensure that the significance of a site is identified, assessed and protected.
- 2.2 Discourage demolition approvals for heritage assets until replacement buildings have been approved.
- 2.3 Ensure that additions, alterations and replacement buildings are sympathetic to the heritage area and surrounds.
- 2.4 Ensure that development makes a positive contribution to the built form of the area.
- 2.5 Ensure development is respectful of the historic character and appearance of the area.
- 2.6 Ensure that the use and development of heritage places and adjoining land is

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compatible with and does not adversely affect the significance of the place.

**Objective 3**

To ensure that the management of heritage places will reveal rather than diminish the significance of the place.

**Strategies**

- 3.1 Nominate heritage places, precincts and archaeological sites of potential state significance for inclusion on the Victorian Heritage Register.
- 3.2 Provide assistance and support to owners and custodians of heritage places in the conservation and management of these places.

**21.06-3 Key issue - Neighbourhood Character**

A Neighbourhood character assessment is demanded of most residential applications. There is little local assistance in the current scheme to assess character despite a strong call for urban design guidelines to assist Council and the community with making decisions on the basis of 'character' to address issues including:

- Identifying and protecting areas within the municipality with significant neighbourhood character values.
- Considering neighbourhood character issues in the assessment of infill housing development proposals within existing residential areas.
- Balancing the tension in policy between promoting growth and consolidation with the desire to respect residential amenity and neighbourhood character.
- Ensuring that the scale and design of development and its impacts on existing amenity are addressed.
- Minimising the loss of backyard areas and established vegetation.

**Objective 1**

To recognise places of distinct neighbourhood character.

**Strategies**

- 1.1 Maintain the landscape settings of buildings and the tree canopy of neighbourhoods.
- 1.2 Maintain the rhythm of spacing between buildings.
- 1.3 Provide space for front gardens and planting around buildings.
- 1.4 Minimise the loss of front garden space.
- 1.5 Minimise the dominance of car parking structures.
- 1.6 Avoid new buildings or extensions dominating the streetscape.
- 1.7 Encourage innovative and contemporary architectural responses that make a positive contribution to the streetscape character.
- 1.8 Encourage the retention of intact, older buildings that contribute to the character of the area.
- 1.9 Integrate buildings and landscape settings with open space and environs.

**21.06-4 Implementation**

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10

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**21.07 ECONOMIC DEVELOPMENT**

This clause provides local content to support Clause 17 (Economic Development) of the State Planning Policy Framework.

Specific references to individual towns are also included in Clause 21.09 (Local Areas).

**21.07-1 Key issue - Economic growth**

Latrobe City is uniquely placed in the Victorian economy. With 90 percent of the state's power generation occurring in the region, brown coal electricity generation accounts for around 20 percent of Latrobe City's Gross Regional Product, and approximately 20 percent of all jobs are directly or indirectly tied to the electricity sector.

Latrobe City is recognised as one of Victoria's four major regional centres, along with Ballarat, Bendigo and Geelong. With a Gross Regional Product (GRP) of approximately \$4 billion and annual business turnover estimated at \$10.3 billion, the City makes a significant contribution to the Victorian economy. Employment growth in Latrobe City is strong, and in recent years this growth has exceeded that in the other three major regional centres.

Population growth, technology advances, the ageing workforce, globalisation and a future low carbon economy present both challenges and opportunities. Latrobe's history of industrial enterprise, successful adaptation and innovation means it is well positioned to embrace change and harness new opportunities to further diversify and strengthen the economy. Council will take a lead role in preparing the community to prosper from these changes, in particular the transition to a low carbon future.

With an emphasis on job creation, industry diversification and the ability to offer opportunities to prospective investors, Latrobe City has three areas of significant commercial importance that are referred to as 'Employment Zones':

- Former Gas and Fuel Lurgi plant.
- Gippsland Logistics Precinct.
- Latrobe Regional Airport.

**Objective 1**

To facilitate a vibrant and dynamic economic environment.

**Strategies**

- 1.1 Provide a balanced approach to economic development taking into account economic, social and environmental values.
- 1.2 Provide Victoria with a more flexible and cost effective response to meeting peak electricity load demands and provide larger reserves of electricity supply capacity.
- 1.3 Facilitate private and public sector investment and help create an attractive investment climate.

**Objective 2**

To facilitate new development and employment opportunities in Latrobe.

**Strategies**

- 2.1 Ensure adequate land availability for industrial and commercial growth.
- 2.2 Ensure that industrial and commercial development is of the highest quality especially at the interface with residential land.

**21.07-2 Key issue - Activity centres**

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Latrobe City is the retail centre for Gippsland and is home to MidValley Shopping Centre in Morwell, Stockland Plaza in Traralgon, the Moe Central Activity District (CAD) and the Morwell CAD. There has also recently been a substantial increase in new retail floor space in Churchill. The retail sector provides the highest employment of any sector in Latrobe City providing close to 4,000 jobs. The sector contributes \$385 billion to the local economy annually.

Council supports the existing neighbourhood and smaller town retail centres. No new centres should be supported unless demand can be demonstrated as well as substantiating that existing centres would not be detrimentally affected.

Retail floor space increases should be provided with a focus on increasing the vibrancy of town centres of Morwell and Traralgon, to continue their role to complement each other in the retail hierarchy. Growth should occur with Morwell contributing the majority of traditional retail format, with Traralgon servicing a market with some higher levels of disposable income, with a higher percentage of white collar workers.

In order to remain competitive with centres located beyond Latrobe, land has been identified for two new dedicated bulky goods centres, in order to decrease expenditure leakage. Current bulky goods expenditure results in the requirement for two bulky goods centres in the order of 15,000 – 20,000 sq.m each. Additional land on the two bulky goods sites at Princes Drive, Morwell and Princes Highway and Stammers Road, Traralgon should also be set aside for any future expansion of the bulky goods centres.

**Objective 1**

To identify appropriate locations for retailing activities.

**Strategies**

- 1.1 Encourage neighbourhood shops providing local convenience goods and services in locations accessible to local communities.
- 1.2 Encourage shops that do not significantly detract from the function of the existing major retail centres.
- 1.3 Encourage increased residential densities around neighbourhood centres.
- 1.4 Encourage strong pedestrian and public transport connectivity to and between the neighbourhood clusters.
- 1.5 Encourage the distribution of new bulky goods retailing to occur in Princes Drive, Morwell and Princes Highway and Stammers Road, Traralgon East in accordance with the Morwell and Traralgon Structure Plans.
- 1.6 Discourage 'out of centre' large format supermarkets and retail developments.
- 1.7 Provide for localised convenience retailing.

**Objective 2**

To establish a network of activity centres which satisfy a range of retail, commercial, community and residential needs.

**Strategies**

- 2.1 Encourage a mix of retail, office, commercial, entertainment, leisure and community uses, and medium density housing to locate within activity centres.
- 2.2 Encourage increased intensity and scale of development within defined activity centres.

**Objective 3**

To facilitate the growth of the Morwell, Moe, Traralgon and Churchill Town Centres.

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**Strategies**

- 3.1 Encourage a diverse range of land uses including accommodation, office, retail, food and drink, transport, leisure, civic and community uses.
- 3.2 Encourage high quality, accessible and environmentally sustainable design.
- 3.3 Provide coordinated walking, cycling, pedestrian and vehicular movement.
- 3.4 Identify and encourage the development of an integrated high quality public transport interchange.
- 3.5 Provide well located and accessible car parking areas in the centre.

**21.07-3 Key issue - Industry**

The Latrobe Valley has one of the world's largest reserves of brown coal. Brown coal electricity generators in Latrobe currently supply approximately 90% of Victoria's electricity. Council supports the sustainable use of brown coal as an energy source. Council is working with generators, clean coal researchers and government agencies to develop clean coal pilot plants and research facilities in Latrobe. Latrobe also has a large manufacturing base, established from the electricity generation sector.

The industrial sector in Latrobe has been recognised as having three main dimensions.

- The first is the heavy industrial complex which is currently sustained by the coal and timber resources. The main location of this industrial complex is in the south Morwell area and within the Special Use - Brown Coal zoned areas in association with the power stations and mines.
- The second is the emerging industries, including those establishing in Churchill taking advantage of proximity to Federation University or east of Morwell with advantages such as the outfall sewer and other key infrastructure.
- The third sector is local servicing industry providing for local community needs.

In all industrial areas the strategic direction is to encourage and support emerging types of industry. The strategic direction is to support the development and use of new industry in identified locations in the Morwell urban area and the Morwell South area and to encourage new large, high amenity, low density manufacturing industry to the area east of Alexander Road and north of the Princes Highway. The strategic direction for industry in Churchill is to support the development and use of industry which would benefit from locating in close proximity to the existing or future institutions.

Development of the Gippsland Intermodal Freight Terminal at Morwell will provide local industry with direct access to the national freight network. Preparations are currently underway for a large-scale logistics and distribution precinct that will adjoin the terminal site.

Council has prepared a Master Plan for the development of a Gippsland Logistics Precinct (GLP) on land three kilometres east of Morwell. The development of the GLP will establish a centre for the efficient and cost effective movement of freight to and from the Gippsland region.

The Latrobe Valley, with its fertile soils also supports a vibrant agricultural industry. One of Australia's largest food and beverage producers has established a state of the art dairy processing plant in Morwell. Opportunities for the production of biomass and algae for electricity and fuel production are expected to provide further markets for agricultural products.

**Objective 1**

To maximise the potential for new industry especially those that may benefit from the coal and electricity industry.

**Strategies**

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1.1 Support the development of existing and new industries and infrastructure.

**Objective 2**

To promote increased rail use as a model for economic viability and sustainability.

**Strategies**

- 2.1 Develop the Gippsland Logistics Precinct in Morwell in a manner that maximises freight being handled by rail.
- 2.2 Facilitate a range of logistics activities on the Gippsland Intermodal Freight Terminal precinct in Morwell.

**Objective 3**

To ensure that industry and sensitive uses are planned and designed to minimise any potential detriment or loss of amenity.

**Strategies**

- 3.1 Encourage development and use that are compatible with agricultural activity.
- 3.2 Encourage uses compatible with the physical capability of the land.
- 3.3 Maintain the land resource for agriculture, conservation and timber production purposes.
- 3.4 Ensure that new development does not compromise existing and future infrastructure.

**Objective 4**

To ensure that sufficient supply and adequate choice of industrial land exists to accommodate the varying needs of the different types of industry likely to emerge in the future.

**Strategies**

- 4.1 Maximise the potential of the high amenity location to the north of Princess Drive and east of Tramway Road in Morwell to attract large, low density, high amenity industries.
- 4.2 Ensure that each urban settlement has convenient and accessible industrial areas to provide local employment and self-sufficiency of sustainable urban form.
- 4.3 Retain the potential of the Morwell South Industrial Area and land within the Special Use - Brown Coal Area to function as important locations which are suited to major heavy industry.

**21.07-4 Key issue - Timber**

14/01/2010  
C62

Latrobe City's large natural resource supports a productive timber and commercial forestry industry providing softwood, value-added hardwood, and paper products sold to domestic and export markets. Australian Paper is one of the largest paper manufacturing facilities in the southern hemisphere. The Maryvale complex leads in the manufacture of high performance packaging supplies and office paper. Forestry projects are eligible under proposed schemes to generate carbon credits for sale to domestic and international markets. Council is also seeking to be established as a national leader in the timber industry, with the preparation of the Wood Encouragement Policy. The Policy seeks to support the retention and expansion of the timber industry.

It is acknowledged that there is some infrastructure and rural amenity issues associated with timber and these will need to be carefully managed. In particular, a challenge for



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Council is balancing the needs of timber operators accessing their coups with the concerns of residents of logging trucks near their properties.

**Objective 1**

To encourage environmentally sustainable timber production.

**Strategies**

- 1.1 Support and encourage timber processing and value-adding industries to expand and retain the timber industry in Latrobe City.
- 1.2 Strategically plan for road and rail haulage in conjunction with the industry.

**21.07-5 Key issue - Latrobe Regional Airport**

14/01/2010  
C62

Council acknowledges that the Latrobe Regional Airport (LRA) is and has been a major economic generator for the City over many years and it is a large employer in the area. LRA is home to the only passenger commercial aircraft manufactured in Australia that successfully exports to global markets. The development and expansion of the LRA has created further opportunities for aviation-related businesses to establish on allotments with taxiway access to the main runway. The expansion provides opportunities for aerospace and aviation related industries to expand or establish their operations at the airport.

Latrobe Regional Airport is integral to the region's transport network and provides a range of employment and recreation opportunities. Well equipped and of a high standard, it ranks as one of the best regional airports in Australia. The airport's supply of serviced industrial land has been expanded to facilitate enhanced aeronautical development.

The development of the revised Latrobe Regional Airport Master Plan provides an opportunity for the Master Plan process to identify appropriate land use buffers and controls to better protect the Airport.

**Objective 1**

To promote and protect the operations of Latrobe Regional Airport.

**Strategies**

- 1.1 Support the application of appropriate land use controls and buffers around the airport.
- 1.2 Implement the Traralgon-Morwell Corridor Structure Plan to help identify appropriate uses surrounding the airport.

**21.07-6 Key issue - Health**

14/01/2010  
C62

Latrobe City is a centre for health services to the broader Gippsland region. Contributing significantly to the local and regional economy, Latrobe City offers a comprehensive and high quality health facilities. The region has an extensive range of specialist services including pathology, aged care, palliative care, community health, cancer support, immunisation, disability services, home care, physiotherapy, parenting, paediatric, child and adolescent services. Maryvale Private Hospital, Latrobe Regional Hospital (LRH) and Latrobe Community Health Service offer first rate health and medical services and programs. LRH also houses the Gippsland Cancer Care Centre, making it possible for residents to receive comprehensive radiotherapy, oncology and chemotherapy treatments locally.

Latrobe Regional Hospital is still growing and is a major asset for the region. It is connected with Monash University (for medical purposes) and with Federation University (for nursing). New wards and theatres are being built and planned and the cancer care

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centre and allied health facilities have been extended together with the mental health wing and maternity extensions. The hospital is one of the largest employers in Gippsland.

Based on the last census, the fastest growing cohort (except for Traralgon) within Latrobe is the retiring 'baby boomer' generation of 60 years and over. This growth has implications for housing, (smaller dwellings), connectivity within and between estates (walking and cycling on flat paths), provision of suitable public facilities and for long term health requirements. The City is well served by health facilities and this, of itself, is and will be a further attractor to the aging community. Such demands will have a flow-on effect and will increase employment opportunities in the health care sector meaning that this will be one of the fastest growing employment sectors in Latrobe. The health care and services sector now employs about a significant percentage of the workforce and this figure is growing. As the population ages, this will become more apparent and Council needs to start planning for the aged care and retirement sector as these will become increasingly important.

**Objective 1**

To promote and protect the operations of Latrobe Regional Hospital.

**Strategies**

- 1.1 Support the implementation of the Latrobe Regional Health Master Plan.
- 1.2 Implement the Traralgon-Morwell Corridor Structure Plan to help identify appropriate uses surrounding the Latrobe Regional Hospital.

**21.07-7****Key issue - Education**

14/01/2010  
C62

Latrobe Valley boasts a number of highly regarded public and private primary and secondary schools along with a fully serviced campus of Federation University. Together with Federation Training, Apprenticeships Group Australia, and the Gippsland Education Precinct, a vast range of educational options are available in the region.

**Objective 1**

To promote and protect the operations of Federation University.

**Strategies**

- 1.1 Support the development of a Federation University Master Plan at the Churchill campus.

**21.07-8****Key issue - Information Technology**

14/01/2010  
C62

Latrobe is a regional leader in information communication technology. Combining traditional with new technologies, the industry has developed a highly skilled workforce and has the capacity to service expanding local industry and business providing innovative IT solutions to commercial and industrial businesses throughout Australia and internationally. The shared business services sector in Latrobe continues to grow with increasing numbers of private and government call centres operating across the region.

**Objective 1**

To encourage the growth of information technology in Latrobe.

**Strategies**

- 1.1 Support the development of information communications technology hubs and precincts in Latrobe.

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**21.07-9 Key issue - Tourism**14/01/2010  
C62

Tourism is estimated to inject about \$93 million per year into the local economy. The sector is made up of small businesses, with a few medium sized businesses operating in the accommodation and conference sector. Latrobe hosts many widely recognised events including national and international sporting events. Latrobe City has identified events, business tourism and conferencing as market opportunities that would enhance the trade of existing retail, food and entertainment businesses.

The significant natural assets and biodiversity of the Gippsland region present tourism opportunities and the Latrobe economy, utilising a hub and spoke model, can benefit from these regional strengths. Council will continue to work with Destination Gippsland and Tourism Victoria to progress regional tourism initiatives as described in the Strategic Business Development section of this strategy.

**Objective 1**

To encourage environmentally sustainable tourism opportunities.

**Strategies**

1.1 Strengthen the attraction of Latrobe City as a conference and major events destination.

**21.07-10 Key issue - Stone Resources**14/01/2010  
C62

Latrobe contains significant stone resources including basalt, gravels and sands and limestone. There are significant resources in the extractive industry, including mineral sands north of Morwell and Traralgon that need to be protected. State Policy sets out objectives for the identification and protection of stone resources through the concept of 'Extractive Industry Interest Areas'. These areas are identified on the attached policy map and consideration will be given to protection of stone resources within these areas when considering applications for development and use.

**Objective 1**

To protect significant stone resources to ensure an adequate supply of stone in future years.

**Strategies**

1.1 Ensure the protection, development and use of stone resources.

1.2 Ensure that the long term protection of stone resources is in accordance with the recommendations in the Latrobe Supply Area Extractive Industry Interest Areas Strategy 1999.

1.3 Protect existing extractive industry sites by separating incompatible land uses and by physical separation.

**21.07-11 Implementation**

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10

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**21.08 TRANSPORT AND INFRASTRUCTURE**

This clause provides local content to support Clause 18 (Transport) and Clause 19 (Infrastructure) of the State Planning Policy Framework.

Specific references to individual towns are also included in Clause 21.09 (Local Areas).

**21.08-1 Key issue - Integrated transport networks**

Latrobe City is the hub of road networks and highways for greater Gippsland. Roadwork improvements like the Pakenham Bypass further shorten road travel times to Melbourne. Residents now enjoy a renaissance of rail transport in Gippsland and the benefits associated with major rail infrastructure upgrades to support the Regional Fast Rail service between Latrobe Valley and Melbourne.

Council considers that it is important for public transport to expand in growth areas and to be integrated with other modes of travel. Equally important is well designed infrastructure that supports and encourages alternative transport options.

In order to achieve the vision for a connected and inclusive built environment it is important that accessibility of community services and facilities are preserved and enhanced as communities evolve. Council must consider key urban needs such as housing; commercial and industrial uses; railway and road infrastructure; water, sewerage and energy supply; and open space and recreational areas.

**Objective 1**

To increase and maximise public transport opportunities between towns and within corridors to support the networked city.

**Strategies**

- 1.1 Provide for an integrated, safe and efficient transport network.
- 1.2 Ensure new development is provided with safe and efficient vehicular access.

**Objective 2**

To provide safe vehicular, walking and cycling routes to connect people to destinations.

**Strategies**

- 2.1 Ensure that walking and cycling infrastructure is incorporated into the design and development of all new neighbourhoods.
- 2.2 Ensure new residential estates include a bicycle network linking with the principal bike routes.
- 2.3 Ensure connectivity through local streets and open spaces to link with employment, retailing, education, transport and community facilities.
- 2.4 Facilitate a functional, safe and efficient rural roads system that supports the maintenance of the rural character as well as meeting the demands of both rural and urban residents.
- 2.5 Provide for the safe storage of bicycles at all public destinations such as town centres and railway stations.

**21.08-2 Key issue - Community infrastructure**

Population growth can challenge the social fabric where the sense of community will need to be a high priority to assure the safety and wellbeing of people. There will be extra demand for frontline health care, hospital and emergency services and social and emergency housing solutions. Council also has a role in planning, developing and

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providing physical and social infrastructure to build a diverse, inclusive, well designed and accessible local communities.

**Objective 1**

To promote physical activity and walkability in all towns by ensuring all dwellings are within close walking distance of a community centre.

**Strategies**

- 1.1 Encourage residential developments to plan for maximum connectivity of open space networks, local services and facilities to avoid predictive route movements and encourage residents to walk within and around the greater neighbourhood.
- 1.2 Ensure all subdivision housing developments in townships include community spaces or buildings that are provided within a walkable distance (approximately 400-800 metres) where appropriate.

**Objective 2**

To ensure responsible development of new physical, social and economic infrastructure to meet the needs of the community during rapid growth.

**Strategies**

- 2.1 Support convenient access across the municipality to a greater range of health, educational, social and recreational facilities and services.
- 2.2 Support hubs of integrated community services.
- 2.3 Support an expansion of the range of educational facilities and services in response to growth and the needs of the community at all stages in its lifecycle.
- 2.4 Develop and maintain community facilities that are multifunctional and accessible to the community in terms of cost, location, administration and design.
- 2.5 Support appropriate recreation and community facilities that are compatible with the needs, character and socio-economic profile of the local area.

**21.08-3 Key issue - Development infrastructure**

Latrobe's built environment is constantly changing, with new developments and redevelopments affecting the physical environment and public realm. To maintain and enrich the built environment, it is important to achieve positive outcomes in areas including the design of private developments and public spaces, parks and gardens, infrastructure provision and the maintenance of civil infrastructure. High quality roads, freight and public transport systems, water, electricity networks, natural gas infrastructure, and telecommunications facilities are vital to enable businesses to operate effectively and to attract new investment.

There is no coordinated strategic approach to the cost, maintenance and provision of new key shared infrastructure, particularly in identified urban growth fronts. The lack of overall drainage strategies for many of the main towns are a good example of this gap in strategic infrastructure planning. Often subdivisions are being developed with key shared pieces of infrastructure (i.e. community centres, convenience shops, drainage, bridges, roads and open space) being changed or even removed from subdivision plans because sufficient planning hasn't been carried out for an urban development front prior to development plans or subdivision plans being finalised.

In that context, Council supports the introduction of Development Contributions Plans (DCP) to ensure that required services and infrastructure are funded and provided. Council acknowledge that this is a critical issue especially in the growth areas of Traralgon and elsewhere where a Development Plan Overlay and/or a DCP are required.

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The efficient delivery of infrastructure is a fundamental element in providing affordable and diverse housing, generating economic growth and ultimately in managing the Municipality in a sustainable manner.

**Objective 1**

To maximise the use of existing infrastructure.

**Strategies**

- 1.1 Develop flexibility in facilities to cater for changing demands of the community.
- 1.2 Ensure integration of roads, bike paths, footpaths and public transport options.
- 1.3 Promote and support the infrastructure and development of small town communities.
- 1.4 Ensure all proposed developments enhance the liveability and sustainability of the community.

**Objective 2**

To provide clear and consistent guidelines in regional Victoria for developers regarding engineering standards for precinct structure plans, development plans, residential subdivision and development.

**Strategies**

- 2.1 Encourage a consistent standard of construction of infrastructure across the Municipality.
- 2.2 Encourage a consistent approach to the design of infrastructure across the Municipality.
- 2.3 Encourage an integrated and streamlined approach to the planning and engineering assessment of new subdivision and development.
- 2.4 Encourage new subdivision and development to be responsive to township character.
- 2.5 Encourage a diversity of streetscape outcomes and successful street tree planting.

**Objective 3**

To ensure that urban infrastructure provided at the local level is determined on a transparent and equitable basis.

**Strategies**

- 3.1 Ensure that development contributions are assessed and required for all new developments.
- 3.2 Ensure that development contributions are specified in Development Contributions Plans.

**Objective 4**

To ensure adequate physical infrastructure for future development needs.

**Strategies**

- 4.1 Ensure that all forms of residential development are connected to appropriate infrastructure including reticulated water, sewerage, telecommunications, power and stormwater facilities.
- 4.2 Ensure walking and cycling infrastructure is incorporated into the design and development of new neighbourhoods and with end-of-trip facilities.

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4.3 Ensure services meet known and anticipated demands for physical, financial and population growth.

**21.08-4 Implementation**

The objectives, strategies and policy guidelines arising from this clause are implemented through the application of appropriate zones and overlays as described in Clause 21.10

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**21.09 LOCAL AREAS**

This clause focuses on Local Area implementation of the objectives and strategies set out earlier in the Latrobe Planning Scheme. Each section relates to a particular precinct, settlement or town, and should be read in conjunction with the rest of the Municipal Strategic Statement. The vision for development in each of these local areas is that it creates environments that are supportive of the health and wellbeing of Latrobe's communities.

**21.09-1 Churchill**

Churchill is one of the principal urban centres for Latrobe City. It is approximately 160 kilometres from Melbourne. It was originally designated as one of the major growth towns for the region in the 1960's, planned to accommodate in excess of 30,000 people. The overall growth within Latrobe City is placing increased pressure on existing centres, particularly Traralgon; increasingly Churchill offers the potential to provide an alternative residential address in a well serviced township. Churchill continues to operate as a local service centre, although its industry, retail and commercial activity is smaller in comparison to the other major towns in the municipality, with many people travelling to the other centres for goods and services.

Significant infrastructure has been invested in the town in anticipation of planned growth. It is now estimated that Churchill has in the order of 160 years of residential land supply. Major water and hydraulic infrastructure services exist, in addition to two State primary schools, a State secondary school and a non-government school. The town contains significant education providers servicing the wider region, anchored by the Gippsland campus of Federation University.

**Vision**

- Support Churchill's role as the University town.

**Local area implementation**

- Facilitate development in accordance with the Churchill Town Structure Plan.

**Residential**

- Encourage medium density residential development in Area 4.
- Encourage mixed use residential developments along the proposed east-west connection (activity spine) between Churchill Town Centre and Monash University.
- Encourage residential development of Area 5, 6, 8 and 11.
- Encourage development of Area 10 for residential or research/education purposes.
- Where available retain large farming lots along the eastern town boundary (Area 7) to enable future residential growth with sufficient lot density that can further the township objective to increase the intensity of land development around the inner core of the township.
- The future township boundary around Area 7 be reviewed upon detailed consideration when rezoning Area 7 for future residential development.

**Commercial**

- Encourage the development of new retail and office developments within Churchill Town Centre and new retail and office developments and residential mixed use along the east-west link (activity spine) between Churchill Town Centre and Monash University.



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- Implement the Churchill Town Centre Concept Plan and the recommendations of the Churchill Town Centre Plan, including encouraging the consolidation of existing and future commercial uses; and a strengthened east-west link between the existing Churchill commercial precinct and the Monash University Gippsland Campus.
- Encourage all new retail or commercial development in the Churchill Town Centre to be consolidated within the existing centre.

**Industrial**

- Encourage new industry to locate within the underutilised industrial precinct in the north-west of Churchill.
- Protect industry in Area 12 from the encroachment of sensitive uses that may result in conflicts and impact on industry operations.

**21.09-2 Moe-Newborough**

Moe-Newborough are adjacent to one another and creates a single urban settlement, serviced by the Activity Centre in Moe. Moe-Newborough is situated on a key tourist route to the ranges and historic town of Walhalla. Relative to Melbourne, Moe-Newborough is 130 kilometres from Melbourne and are the first of the four major towns within the Latrobe Valley and consequently are identified as the 'Gateway to Latrobe'.

The Master Plan for the Moe Rail Precinct Revitalisation Project seeks to redevelop the Rail precinct into a community hub for activity, which incorporates the principles of transit-oriented development that are encouraged under the Moe Activity Centre Plan.

**Vision**

- Support the function of Moe as the region's service centre.

**Local area implementation**

- Facilitate development in accordance with the Moe-Newborough Town Structure Plan.

**Residential**

- Resolve Environmental Significance Overlay Buffer (Yallourn Coalfield Buffer) issues over eastern Newborough (Coal Resource Investigation Areas 8 and 12).
- Subject to the Coal Resource Investigation findings, encourage redevelopment of Yallourn Golf Course in Coal Resource Investigation Area 8 for future life-style residential neighbourhood purposes.
- Subject to the Coal Resource Investigation findings, encourage Coal Resource Investigation Area 12 for possible future residential purposes.
- Encourage residential development along Narracan Drive (Area 7).
- Encourage residential development to the east of Narracan Creek (Area 10) which is to be sensitive to the Narracan Creek environment.
- Future land uses and zoning in Area 3 should be investigated subsequent to
- a detailed assessment of industrial land requirements for Moe-Newborough as part of an industrial strategy.
- Encourage higher density housing around the town centre and neighbourhood clusters in Moe.

**Commercial**

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- Establish Neighbourhood Clusters in key locations as outlined in the Moe Structure Plan and only encourage basic goods, services, community services and facilities in these clusters.
- Encourage new retail, office and residential mixed use developments within Moe Primary Activity Centre (Area 11).
- Restrict the development of new retail, and office use outside of the Primary Activity Centre, other than the redevelopment of the former Moe Hospital site.
- Implement the following aspects of the Moe Activity Centre Plan:
  - The Moe Station Precinct Revitalisation.
  - The Moe Integrated Bus Interchange.
  - The Moore Street upgrade as the primary shopping centre in the town.
  - The Clifton Street car park inclusive of facilitating new development which fronts it.
  - The Hasthorpe Place Precinct inclusive of high amenity pedestrian access.
- Improve pedestrian, cycle movements, and visual landscape character at and around the Roundabout Overpass.
- The development of higher density housing to the south of the town centre and rail station.
- Implement the Clifton Street Precinct Urban Design Guidelines.

**Industrial**

- Review the existing industrial Area 3, with a view to confirming the role and viability of these areas as service industrial development or conversion to residential development.
- Facilitate the transfer of Area 2 to public ownership for public open space in order to provide a green link and visual corridor from Moe Racecourse to neighbouring hills as part of the rezoning of Area 1 for industrial purposes.
- Implement Area 2 as the buffer along the southern edge of Moe's industrial precinct, separating it from existing and future residential uses in Area 13.
- Protect industry in Area 1 from residential encroachment that may result in interface conflicts and impact on industry operations.
- Investigate flooding impact upon land designated as having industrial opportunities.

**Rural**

- Retain large farming lots along the eastern and north-western sides of the town boundary.
- Encourage Baw Baw Shire Council to retain land adjacent to the township of Moe as farming to enable future westerly township boundary extensions.

**Infrastructure**

- Expand the network of on and off road cycling paths across Moe.
- Encourage an alternative 'landmark use', such as a convention centre, at Area 6 which compliments the Botanical Gardens.
- Maintain and enhance the town and gateway entrances, with a particular emphasis on the western entrance to Moe (Area 4).
- Provide for public open space connections from Narracan Drive through Area 7 and connecting to John Field Reserve.

**Vision**

- Regional higher order retailing function

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- Regional distributive function
- Regional manufacturing function

**Local area implementation**

- Facilitate development in accordance with the Morwell Town Structure Plan.

**Residential**

- Resolve the Maryvale Coalfield Environmental Significance Overlay Buffer along the western border of Morwell and Area 1.
- Facilitate the orderly planning of Area 1 generally bounded by Maryvale Road, Latrobe Road, Crinigan Road and Holmes Road for residential development.
- Encourage the development of Area 1 in accordance with the North-West Development Plan Overlay.
- Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan.
- Where appropriate mitigate flooding and encourage residential development within Areas 4 and 7.
- Future land uses and zoning in Areas 8a, 8b, and 8c should be investigated subsequent to a detailed assessment of industrial land requirements for Morwell as part of an industrial strategy.
- Encourage higher density housing around the town centre within the Transit City Precinct and neighbourhood clusters.
- Retain large farming lots along the north eastern town boundary of Morwell to provide for long-term industrial growth.

**Commercial**

- Discourage further development and/or replacement of existing businesses within Area 2.
- Encourage neighbourhood clusters in key locations as outlined in the Morwell Structure Plan and only encourage basic goods, services, community services and facilities in these clusters.
- Encourage new retail, office and residential mixed use developments within Morwell Primary Activity Centre (Area 3) and Mid-Valley (Area 5)
- Discourage new retail, office development outside of the Morwell Primary Activity Centre (Area 3), Mid-Valley (Area 5) and Princes Drive, Morwell (Area 10).
- Encourage Restricted Retailing to locate within Mid-Valley (Area 5) and Princes Drive, Morwell (Area 10).

**Industrial**

- Review the existing industrial Areas 8a, 8b, and 8c, with a view to confirming the role and viability of this area as service industrial development or conversion to residential development.
- Provide a buffer along the western edges and eastern edge of the industrial precinct in Area 6.
- Explore options in Areas 6 and 9 for Industrial 2 uses along the eastern boundary and Industrial 3 uses along the western boundaries of the industrial precinct and for open space and vegetation to screen industry from proposed and potential future residential areas.
- Protect industry in Area 6 and 9 from residential encroachment that may result in interface conflicts and impact on industry operations.

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- Investigate flooding impact upon land designated as having existing or future industrial opportunities in Areas 6 and 9.
- Where appropriate, encourage the development of new industry within Area 6 and 9 that is sensitive to existing creeks.

**Infrastructure**

- Investigate opportunities to provide a new railway station at Mid-Valley Shopping Centre.
- Investigate rail connections to the proposed Gippsland Intermodal Freight Terminal south of Mid-Valley.
- Expand the network of on and off road cycling paths across Morwell.
- Maintain and enhance the town and gateway entrances, with a particular emphasis on the western entrance to Morwell (Area 2).

**21.09-4 Traralgon**

Traralgon is located on relatively flat land in the northeast of Latrobe City. To the north of Traralgon are the Latrobe River and the foothills of the Great Dividing Range; to the south is the Strzelecki Ranges.

Traralgon contains the largest population of the four main towns and is situated 160 kilometres from Melbourne. Over recent years it has experienced more vigorous growth than the other towns and according to forecasts that trend will continue. Traralgon has both a role in provision of goods and services to its local community as well as the wider population of the Latrobe City and the surrounding region.

**Vision**

- Continues to build on its strength as one of Victoria's key regional economies and its position as the commercial centre of Gippsland.

**Local area implementation**

- Facilitate development in accordance with the Traralgon Town Structure Plan.

**Residential**

- Resolve any Environmental Significance Overlay Buffer conflicts along the southern boundary of Traralgon and assess its impact on the southern area of Traralgon.
- Investigate flooding impact upon land designated as having existing or future residential opportunities in the structure plan.
- Where appropriate, mitigate flooding and encourage residential development within Areas 1, 11, and 12.
- Within Area 13 investigate and allow for an appropriate buffer from the Gippsland Water emergency storage facility at Marshalls Road.
- Encourage higher density housing in the Transit City Precinct and existing and future neighbourhood clusters in Traralgon.
- Engage landowners to work towards developing a Development Plan for Area 2 and encourage residential intensification of this area.
- Future land uses and zoning in Areas 3a and 3b should be investigated subsequent to a detailed assessment of industrial land requirements for Traralgon as part of an industrial strategy.
- Engage with landholders on the western border of Traralgon to work towards a Development Plan for the area.

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**Commercial**

- Establish neighbourhood clusters in key locations as outlined in the Traralgon Structure Plan and encourage basic goods, services, community services and facilities in these clusters.
- Encourage neighbourhood clusters within Areas 8 and 11.
- Encourage the development of new retail, office and residential mixed use developments within Traralgon Primary Activity Centre (Area 4) and Argyle Street.
- Discourage significant new retail and office development outside of areas Area 4, Argyle Street and Princes Highway and Stammers Road (Area 14).
- Encourage Restricted Retailing to locate within Argyle Street and Princes Highway and Stammers Road (Area 14).
- Encourage increased densities and vertical growth of Traralgon's town centre to support the growth of the office sector.
- Discourage dispersion of the office sector.
- Support the development of the land generally bounded by Grey Street, Franklin Street and the Traralgon Creek for mixed use purposes.

**Industrial**

- Encourage the early transition of industrial land uses in the southern parts of the Transit City Precinct to enable the conversion of land to residential uses.
- Review the existing industrial area of Janette Street/ Dunbar Road (Area 3a), with a view to confirming the role and viability of this area as service industrial development or conversion to residential development.
- As part of a detailed design of Area 10 establish an appropriate edge between the industrial area adjoining rural living areas by using existing land use constraints such as service lines and drainage courses as the logical buffers between rural living areas and the Area 10 industrial area.
- Explore options in Area 10 for Industrial 3 uses along the northern boundary of the industrial precinct and for open space and vegetation to screen industry from existing rural living uses.
- Protect industry in Area 10 from encroachment of sensitive uses that may result in conflicts and impact on industry operations.

**Rural**

- Where available, retain large farming lots along the western and eastern town boundary unless land is required for expansion of the township boundary.
- Investigate opportunities for long-term urban growth to the south-east of Traralgon once the Loy Yang mining licence has ceased (approximately 2040-2050).

**Infrastructure**

- Inter-connect Traralgon's network of on and off road cycling paths.
- Extend east-west road links over Traralgon Creek in Area 5 and 12.
- Protect the designated alignment for the Traralgon Bypass. Investigate route options for traffic, especially large vehicles, entering Traralgon from the south en route to the town centre and industrial precinct in the north-east.
- Maintain and enhance the town and gateway entrances (Areas 6 and 9). In particular the enhancement of Traralgon's southern entrance (Area 6), which should be designed with consideration to the implications of the Traralgon Bypass Route.

**21.09-5 Boolarra**

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Boolarra is a small town situated in the foothills of the Eastern Strzelecki Ranges approximately 40 kilometres south west of Traralgon and 160 kilometres east of Melbourne. The town is located at one end of the Grand Ridge Rail Trail, which extends through the Strzelecki Ranges from Mirboo North to Boolarra. The township has grown due to logging and dairy industries, which are still important today. Today the Boolarra township comprises of a primary school, pre-school and childcare facilities, a cluster of local shops, a police station, a hotel and sporting and recreation facilities. Boolarra had a population of approximately 590 residents in 2006 and an estimated population of approximately 600 in 2008.

**Vision**

- Retain and promote Boolarra's rural atmosphere and residential service centre role.
- Provide a visually attractive urban environment and enhance town entrances.
- Provide a safe and effective road and path network that allows for convenient movement of vehicles, pedestrians and cyclists.

**Local area implementation**

- Facilitate development in accordance with the Boolarra Town Structure Plan.

**Residential**

- Ensure new developments close to town entrances enhance the visual amenity, with particular emphasis on the eastern entrance from Monash Way.
- Promote opportunities for infill development within the township boundary and encourage increased diversity in residential allotment sizes (Areas 3, 4, 5, 6 & 7).
- Investigate the potential for Area 5 to yield higher density residential development.
- Protect the development potential of land to the east of the township (Area 10) for possible future long-term urban growth.
- Rezone the hotel site to reflect existing use and to facilitate future development opportunities (Area 11).

**Commercial**

- Promote commercial activity in and around the primary activity centre (Area 1) and surrounding Township Zone.

**Infrastructure**

- Maintain and enhance existing public open space reserves and protect the environmental features and habitat values of core conservation areas, including the Boolarra-Mirboo North Rail Trail (Areas 2, 8 & 9).
- Preserve and maintain waterway and wetland habitat values within the township (Area 6 & 9).
- Apply appropriate zones to public open space areas (Area 2).
- Ensure an appropriate buffer is provided between urban development and coal resource areas.

**21.09-6 Glengarry**

Glengarry is a small town situated approximately 11 kilometres north of Traralgon and 171 kilometres east of Melbourne. Glengarry was established after the railway arrived from Traralgon in 1883. Today the Glengarry township comprises of one primary school, one pre-school, local shops and businesses, public bar and restaurant and sporting and

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recreation facilities. Glengarry had a population of approximately 1520 residents in 2006 and an estimated population of approximately 1510 in 2008.

**Vision**

- Retain and promote Glengarry's rural atmosphere and residential service centre role.
- Investigate the opportunity for Glengarry's role to expand as a dormitory suburb of Traralgon.
- Provide a visually attractive urban environment and enhance town entrances.
- Provide a safe and effective road and path network that allows for convenient movement of vehicles, pedestrians and cyclists.

**Local area implementation**

- Facilitate development in accordance with the Glengarry Town Structure Plan.

**Residential**

- Ensure new developments enhance the visual amenity of town entrances, with particular emphasis on the southern entrance from Traralgon-Mallfra Road (Areas 7 & 8).
- Encourage residential development to the east of the township which is to be sensitive to the Eaglehawk Creek environment and floodplains (Areas 5 & 6).
- Investigate and resolve the extent of the Eaglehawk Creek floodplain (Area 12)
- Encourage low density residential development in Area 7, subject to appropriate flood mitigation.
- Encourage subdivision and development of large vacant and developed allotments within existing residential areas Area 3.
- Protect development potential of agricultural land to the east of the township for future long-term residential expansion (Areas 9 & 10)

**Commercial**

- Encourage commercial developments within the primary activity centre (Area 1).

**Infrastructure**

- Maintain and protect public open space areas including the Gippsland Rail Trail, and implement the recommendations of the Latrobe City Open Space Plan (Areas 2 & 11).
- Encourage east-west shared path link and vehicular link between Areas 5 & 6 and the town centre. Links should be designed to ensure the safe passage of all pedestrians, bicycles and vehicles.
- Investigate opportunities for the future use and possible development of former drainage reserve (Area 4).
- In consultation with stakeholders, investigate and resolve appropriate vehicle access points to Area 5.
- In consultation with stakeholders, investigate opportunities for vehicle access from Area 3 to Railway Avenue.

**21.09-7 Tyers**

Tyers is a small settlement located approximately 10 kilometres north west of Traralgon and 158 kilometres east of Melbourne. It was known as 'Boola Boola' until 1852 when it was named after the surveyor and explorer Charles Tyers. Today, this small township has limited town centre services and facilities, including a pre-school, primary school,

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convenience store and service station, public hall and recreation reserves. Tyers had a population of approximately 480 residents in 2006 and an estimated population of approximately 490 in 2008.

**Vision**

- Retain and promote Tyers' rural atmosphere and residential service centre role.
- Provide a visually attractive urban environment and enhance town entrances.
- Provide a safe and effective road and path network that allows for convenient movement of vehicles, pedestrians and cyclists.

**Local area implementation**

- Facilitate development in accordance with the Tyers Town Structure Plan.

**Residential**

- Encourage low density and rural living development to the north-east of the town, subject to the availability of sewerage infrastructure or the creation of lots capable of containing on-site domestic wastewater treatment systems (Area 3 & 9).
- Promote opportunities for infill development within the township boundary, such as Area 7 and encourage increased diversity in residential allotment sizes, subject to availability of sewerage infrastructure.
- Ensure access from new development and individual allotments to the Main Road (Moe-Glengarry Road) and Tyers Walhalla Road is limited where possible.
- Investigate and review land affected by the Wildfire Management Overlay within the township boundary.
- Investigate 'rezoning' of Areas 4 & 5 to appropriate zones.
- Protect development potential of agricultural land to the south of the township for future urban expansion (Area 8).
- Investigate and resolve the development potential of land identified within the Extractive Industry Interest Area to the north of the town.

**Commercial**

- Encourage commercial developments within the primary activity centre (Area 1).

**Infrastructure**

- Resolve domestic wastewater treatment issues in the township and identify improvements or additional infrastructure that may be required to accommodate future urban growth and development.
- Improve sewerage treatment on existing allotments and implement an integrated waste water management system for the township to the satisfaction of the responsible authority.
- Apply appropriate zones to public open space areas including the Bert Christensen Reserve and Jean Gailbraith Reserve and implement the recommendations of the Latrobe City Open Space Plan (Area 10).
- Protect and enhance habitat values within the town and apply appropriate zone or overlays to core conservation Areas 2, 4 & 6.
- Undertake detailed native vegetation assessment to clarify the subdivision and development potential on the periphery of Areas 2 & 4 and apply appropriate zone or overlay.
- Encourage shared path link between future low density and rural living development (Area 3 & 9) and the town centre (Area 1).



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- Protect road reserves, such as Hinde Road, to allow for future access to proposed development areas.
- Investigate innovative waste water disposal strategies in Tyers township.

**21.09-8 Yallourn North**

Yallourn North is located north east of Moe. Yallourn North was originally called Brown Coal Mine as workers at the Yallourn W station set up home in the area. Yallourn North is approximately 145 kilometres from Melbourne.

**Local area implementation**

- To prepare and facilitate development in accordance with the Yallourn North Town Structure Plan.

**21.09-9 Toongabbie**

Toongabbie is a small, historic township approximately 175 kilometres from Melbourne.

**Local area implementation**

- To prepare and facilitate development in accordance with the Toongabbie Town Structure Plan.

**21.09-10 Traralgon South**

Traralgon South is a rural township approximately 170 kilometres from Melbourne.

**Local area implementation**

- To prepare and facilitate development in accordance with the Traralgon South Town Structure Plan.

**21.09-11 Yinnar**

Yinnar is located in the Morwell River Valley, with views of the Strzelecki Ranges to the west and the Jeeرالang Hills to the east. Situated 160 kilometres from Melbourne, the township provides a rural residential area for those employed in the Latrobe City's industrial, educational and service sectors.

**Local area implementation**

- To prepare and facilitate development in accordance with the Yinnar Town Structure Plan.

**INSERT TOWN STRUCTURE PLANS – AS CURRENTLY IN THE SCHEME**

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**21.10 IMPLEMENTATION****21.10-01 Application of zones and overlays**

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of appropriate zones and overlays as follows:

**Zones**

- Apply the General Residential Zone, Neighbourhood Residential Zone or the Residential Growth Zone to existing residential areas.
- Apply Mixed Use Zone to areas close to town centres with potential for complementary residential, commercial and industrial activities.
- Apply Township Zone to smaller settlements.
- Apply the Low Density Residential Zone to larger residential lots on the fringes of the main towns that are not within urban growth corridors.
- Apply Industrial 1 Zone to main industrial estates.
- Apply Industrial 3 Zone to light industrial and service industrial areas.
- Apply Commercial 1 Zone to principal shopping areas.
- Apply Commercial 2 Zone to the principal office areas and to peripheral sales areas.
- Apply the Farming Zone to agricultural areas.
- Apply Rural Living Zone to areas committed to rural residential type use.
- Apply Public Park and Recreation Zone to public open space areas.
- Apply Public Conservation and Recreation Zone to conservation areas.
- Apply the Special Use Zone – Schedule 1 Brown Coal over Category A coalfields.

**Overlays**

- Apply the Development Plan Overlay to large undeveloped tracts of urban land.
- Apply Design and Development Overlays to areas requiring specific design solutions.
- Apply Design and Development Overlays to protect major gateways.
- Apply Development Contributions Plans to properly plan for infrastructure provision.
- Apply the Environmental Significance Overlay to areas where amenity buffers are required.
- Apply the Environmental Significance Overlay to protect sites, areas and corridors of environmental significance.
- Apply the Environmental Significance Overlay – Schedule 1 Urban Buffers to provide reciprocal protection for urban areas and the mines and their associated activities.
- Apply the Heritage Overlay to heritage places and precincts.
- Apply the Land Subject to Inundation to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Apply the Floodway Overlay to floodprone areas as identified by the West Gippsland Catchment Management Authority.
- Apply the Bushfire Management Overlay to bush fire prone areas.
- Apply the State Resource Overlay – Schedule 1 Gippsland Brown Coalfields to Category B and C areas to identify the balance of the Gippsland coalfields located within the municipality.

**21.10-02 Further strategic work**

Council is committed to undertaking the following strategic reviews prior to the next Planning Scheme Review :

- *Employment and Industrial Land Review* including the implications of the new Industrial, Commercial and Farming Zones and including a review of existing smaller pockets of industrial areas and isolated industrial areas.
- *Rural Land Use Strategy* addressing landscape, economic initiatives, environmental, tourism, timber, subdivision and dwelling opportunities and rural lifestyle considerations.

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- *Housing Strategy* inclusive of Neighbourhood Character guidance, housing density, housing diversity and residential design guidelines.
- *Retail Demand and Supply Strategy* including an investigation of the implications of the new commercial zones.
- *Infrastructure Needs Analysis* for existing and future significant shared infrastructure across the municipality.
- *Built Form Guidelines* for commercial, industrial and residential development.
- *Landscape Design Guidelines* and infrastructure improvements to work towards the objective of fostering connected communities.
- Consider the implications of the Hazelwood Mine Fire Inquiry Report 2014 by investigating the need to amend the Latrobe Planning Scheme to ensure that the risk of embers from external rural fires (in particular from timber plantation) entering open cut coal mines in the Latrobe Valley is minimised.
- Align the Latrobe Regional Hospital Master Plan with appropriate zones and overlays.
- Implement the Latrobe Regional Airport Master Plan into the Latrobe Planning Scheme when approved.
- Prepare small town structure plans for Yinnar, Traralgon South, Toongabbie and Yallourn North.
- Prepare a land use response to the state government's Strategic Plan for Coal.
- Prepare a land use response to the implementation of Gippsland Regional Growth Plan.

**21.10-03 Reference documents**

The following strategic studies have informed the preparation of this planning scheme. All relevant material has been included in the Scheme and decisions makers should use these documents for background research only. Material in these documents that potentially provides guidance on decision making but is not specifically referenced by the Scheme should not be given any weight.

- Council Plan (2013-2017).
- Municipal Public Health and Wellbeing Plan (2013-2017).
- Latrobe 2026.
- Latrobe Structure Plans Volumes 1-5 (2007).
- Latrobe City Council Residential and Rural Residential Land Assessment (2009).
- Latrobe City Heritage Study 2010.
- Small Town Structure Plans: Boolarra, Glengarry & Tyers Background Report 2010.
- Latrobe City Heritage Overlay – Planning Permit Exemptions & Application Requirements Incorporated Plan, July 2010 (an Incorporated Document)
- Morwell Logistics Precinct Master Plan (2005).
- Lurgi Master Plan (2006).
- Latrobe City Council Bulky Goods Retail Sustainability Assessment (2009).
- Clifton Street Precinct Urban Design Guidelines (2009).
- Traralgon Inner South Precinct Master Plan (July 2011).
- Churchill East West Link: Master Plan and Urban Design Framework (2013).
- Traralgon Growth Areas Framework (August 2013).
- Moe Rail Precinct Revitalisation Project: Master Plan (November 2009).
- Morwell North West Development Plan (October 2010).
- Traralgon West Structure Plan (August 2013).
- Traralgon Activity Centre Plan (Draft July 2010).
- Community and Economic Profile (November 2012).
- Public Open Space Strategy (March 2013).
- Economic Sustainability Strategy (June 2011).
- Healthy Urban Design Good Practice Guidelines (June 2008).
- Natural Environment Sustainability Strategy 2014-2019 (2013).

**13.6 PLANNING PERMIT APPLICATION 2014/267 USE AND DEVELOPMENT OF A DWELLING AT TRARALGON-MAFFRA ROAD, GLENGARRY (LOT 8 LP 5517).****General Manager****Planning & Economic  
Sustainability****For Decision****PURPOSE**

The purpose of this report is to determine Planning Permit Application 2014/267 for the use and development of a dwelling at Traralgon-Maffra Road, Glengarry (Lot 8 LP 5517).

The application is being heard at an Ordinary Council Meeting as requested by a Councillor under the current delegation process.

**EXECUTIVE SUMMARY**

The application seeks a permit for the use and development of a dwelling in the Farming Zone. The lot size is 16.3 hectares, which is below the threshold set out in the Schedule to the zone of 40 hectares. The applicant has submitted justification for the proposal as part of the planning application, in that the dwelling is needed to support an existing stud farm that has been in successful operation for the last 20 years.

Having assessed the application, the justification provided is considered not sufficient grounds for allowing a dwelling on a lot of this size in the Farming Zone. The proposal is inconsistent with the Planning Scheme and the application is therefore recommended for refusal.

**ALTERNATE MOTION**

That Council issue a Planning Permit for the use and development of a dwelling at Traralgon-Maffra Road, Glengarry (Lot 8 LP 5517) subject to the following conditions:

1. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.
3. Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.
4. The exterior colour and cladding of the building must be of a non-reflective nature to the satisfaction of the Responsible Authority.
5. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
6. Before an Occupancy Permit is issued for the dwelling hereby permitted, the operator of this permit must complete the following works to the satisfaction of the Responsible Authority:
  - a) The areas provided within the property for vehicle access to the permitted dwelling, must be constructed and surfaced with concrete, reinforced concrete, brick paving, gravel, crushed rock or hot mix asphalt so as to prevent mud or other debris from being carried onto the road.
  - b) Vehicle access within the property must be constructed to meet the access standards of the Country Fire Authority which require:
    - A minimum trafficable width of 3.5 metres with a minimum clearance of 0.5 metres to any structures on either side of the access,
    - Constructed to a standard that is accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes,
    - Minimum curve radius of 10 metres and grades of no more than 1 in 7, and
    - Where more than 60 metres in length, must include an appropriate turning area.

- c) All stormwater discharging from the site, buildings, vehicle access ways and works must be discharged to a water tank, soakwell or otherwise discharged so as not to cause erosion, flooding or nuisance to the subject or surrounding land to the satisfaction of the Responsible Authority.
7. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.
  8. The owner must ensure that all waste waters emanating from the dwelling are contained and treated within the boundaries of the lot in accordance with the State Environment Protection Act 1970 and to the satisfaction of the Responsible Authority.
  9. Sewage, sullage and other liquid wastes to arise from the development shall be treated and retained on site by a septic tank system in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.3 (2013) and the Responsible Authority.
  10. An application for a Permit to Install a septic tank system must be submitted and approved by Councils Health Services Team prior to any installation.
  11. All waste water and liquid is to be contained and treated on site by a septic tank system or equivalent. Appropriate setback distances must be maintained from any watercourse and/or dam on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.3 (2013).
  12. This permit will expire if one of the following circumstances applies:
    - a) The development is not started within two years of the date of this permit;
    - b) The development is not completed and the use has not commenced within four years of the date of this permit;
- The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of expiry of permit. An extension of time to complete the development or a stage of the development may be requested if -
- the request for an extension of time is made within 12 months after the permit expires; and
  - the development or stage started lawfully before the permit expired.

**Notes**

1. Unless exempted by Latrobe City Council, an Asset Protection Permit must be obtained prior to the commencement of any proposed building works, as defined by Latrobe City Council's Local Law No 3. Latrobe City Council's Asset Protection Officer must be notified in writing at least 7 days prior to the building works commencing or prior to the delivery of material/equipment to the site.
2. The operator of this permit must ensure that all relevant permits have been obtained prior to the commencement of the use.

**Moved:** Cr Harriman  
**Seconded:** Cr Middlemiss

**That the Motion be adopted.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTERESTS**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives – Built Environment*

In 2026, Latrobe Valley benefits from a well planned built environment that is complimentary to its surroundings and which provides for connected and inclusive community.

*Latrobe City Council Plan 2013 - 2017*

*Strategic Direction – Built Environment*

- *Promote and support high quality urban design within the built environment; and*
- *Ensure proposed developments enhance the liveability of Latrobe City, and provide for a more sustainable community.*

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

*Theme 5: Planning for the future*

*Strategic Directions*

*Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.*

*Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments.*

Legislation

*Local Government Act 1989*

*Planning and Environment Act 1987*

**BACKGROUND**

**SUMMARY**

Land:	Traralgon-Maffra Road, Glengarry, known as Lot 8 on LP 5517.
Proponent:	David Tosch
Zoning:	Farming Zone
Overlay	N/A

A Planning Permit is required for the use of the land for a dwelling in accordance with Clause 35.07-1, as the lot size is less than 40 hectares, which is the threshold specified in the schedule to the zone. A planning permit is also required for buildings and works in accordance with Clause 35.07-4. A site context plan is included as Attachment 1 of this report.

**PROPOSAL**

The application is for the use and development of a dwelling in the Farming Zone. The application site is 16.3 hectares in size and the proposed dwelling would be located in the north-eastern section of the site. Access is proposed to be provided via an existing farm access on Black Tank Road.

The dwelling is proposed to be set back 66m from the boundary with Black Tank Road, to the north and 99m from the boundary with Traralgon-Maffra Road, to the east. The proposed dwelling would be single storey with an attached double garage and three bedrooms.



**Subject Land:**

The site is located on the corner of Traralgon-Maffra Road and Black Tank Road and is within the Farming Zone. It is 16.3 hectares in size and is rectangular in shape. It is currently used for cattle grazing in conjunction with the applicant's stud farming business.

The site is generally flat, with a mapped waterway running across the centre of the site, from north-west to south-east. A row of trees runs down the centre of the site from north to south and also along the western boundary. There are several mature scattered trees throughout the site. There is an existing shed located by the southern boundary which is used in conjunction with the cattle grazing on the land. Boundary treatment consists of post and wire fencing on all boundaries.

**Surrounding Land Use:**

The application site is located in the Farming Zone, as is the land to the east, south and west, where there are a limited number of dwellings on lots ranging from about 16 hectares to 31 hectares in size. The land is generally flat. Traralgon-Maffra Road runs adjacent to the eastern boundary of the site.

The land to the north, on the opposite side of Black Tank Road, which abuts the northern boundary, is Rural Living Zone 3. There is a higher density of dwellings here, with houses sited on lots of between two and four hectares.

**LATROBE PLANNING SCHEME****State Planning Policy Framework**

The proposal has been considered against the relevant clauses under the State Planning Policy Framework.

Clause 11.03-5 (Rural productivity) seeks to manage land use and development in rural areas to promote agriculture and rural production. Strategies include preventing inappropriately dispersed urban activities in rural areas and limiting new housing in rural areas.

Clause 14.01-1 seeks to protect productive farmland which has a strategic significance either locally or regionally. There are a number of strategies set out to achieve this objective, including

- Ensuring that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use.
- Taking into consideration regional, state and local, issues and characteristics in the assessment of agricultural quality and productivity.

The objective of Clause 14.02-2 is to protect water quality. One way of achieving this is to ensure that land use activities potentially discharging contaminated runoff or wastes to waterways are sited and managed to minimise such discharges and to protect the quality of surface water and ground water resources, rivers, streams, wetlands, estuaries and marine environments.

### **Local Planning Policy Framework**

#### Municipal Strategic Statement (Clause 21)

Clause 21.03-2 relates to Environmental Sustainability Overview with the objective to maintain and improve the ecological integrity of natural and artificial systems such as agriculture, forestry and urban areas. Strategies include protecting environmental assets as the top priority, enhancing them as the second priority and consider replacement as a last resort. If there are possible or identified threats of serious or irreversible environmental damage, then precautionary behaviour should be adopted.

Clause 21.03-5 relates to Water Quality and Quantity Overview. The objective is to protect and improve water quality and river health. This can be achieved by improving the balance between multiple uses of groundwater and surface water and providing buffers to maintain water quality.

Clause 21.05-7 relates to Agriculture Overview and seeks to protect high quality land. High quality agricultural land should be used primarily for farming purposes, except where the land supports significant vegetation of local provenance.

### **Zoning**

The site is located within the Farming Zone, where the purpose includes:

- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

In accordance with Clause 35.07-1, a permit is required for the use of the land as the lot size is less than the 40 hectares specified in the schedule to the zone. A permit is also required in accordance with Clause 35.07-4 for buildings and works. In accordance with Clause 35.07-6 of the Scheme, Council must consider the relevant decision guidelines of the

Farming Zone. A discussion of these is considered in the Key Points/Issues section below of this report.

### **Particular Provisions**

There are no particular provisions relevant to this application.

### **Decision Guidelines (Clause 65):**

Clause 65.01 sets out the decision guidelines to consider before deciding on an application or approval of plan. These guidelines have been considered as part of the assessment of this planning application and where relevant have been discussed in this report.

### **INTERNAL / EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

#### Notification:

The application was advertised pursuant to Sections 52(1)(a) and (d) of the Planning and Environment Act 1987. Notices were sent to all adjoining and adjacent landowners and occupiers and a site notice was displayed on the site frontage (Black Tank Road) for 14 days. There were no objections received to the application.

#### External:

Under Section 52(1)(d) West Gippsland Catchment Management Authority were notified of the application due to the proximity of the proposed dwelling to a mapped waterway running through the site. No objection was raised to the proposal.

#### Internal:

The application was referred internally to Council's Engineering and Health teams for consideration. There was no objection to the granting of a planning permit subject to the inclusion of appropriate conditions.

### **KEY POINTS/ISSUES**

#### Strategic direction of the State and Local Planning Policy Frameworks:

The proposed use and development of a dwelling in the Farming Zone is inconsistent with the State and Local Planning Policy Frameworks. The site is currently used for cattle grazing in conjunction with a stud farming business that has been in successful operation for over 20 years.

The applicant proposes that the dwelling is a necessary land use and development to ensure the continuation of the business and that due to a change in personal circumstances he now wishes to live on the land to manage the stud farm business. It is not proposed to increase or intensify the stud farming business and it is therefore not considered that a dwelling is necessary to continue the successful operation of the business that has operated for such a long period of time without a dwelling on the site.

It should be noted that a change in personal circumstances is not a material planning consideration. Furthermore, the applicant is the owner of the residential dwelling directly across the road from the site, at 140 Black Tank Road, see Attachment 2.

Clause 11.05-3 seeks to manage land use and development in rural areas to promote agriculture and rural production. One of the strategies is to limit new housing in rural areas. Clause 14.01-1 seeks to protect productive farmland which is of strategic significance either locally or regionally and Clause 21.07-5 of the Municipal Strategic Statement seeks to protect high quality agricultural land.

The proposal would introduce a residential use and dwelling onto a lot that is currently used for cattle grazing in conjunction with a stud farm. It may potentially compromise the viability of future agricultural expansion, given the size of the lot (16 hectares) and given that the business has operated successfully over a long period of time without a dwelling on site, it is not considered that a dwelling is now required on the site.

The proposal is therefore considered to be inconsistent with Clauses 11.03-5 and 14.01-1 of the State Planning Policy Framework and Clause 21.07-5 of the Municipal Strategic Statement.

'Purpose' and 'Decision Guidelines' of the Farming Zone:

The underlying purpose of the Farming Zone relates to the use of the land for agriculture, retaining productive agricultural land and ensuring that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture. The application site is 16.3 hectares and is currently used for cattle grazing in connection with a stud farm.

This application seeks a permit for the use and development of a dwelling and as such has to respond to the decision guidelines of the Farming Zone. These cover a variety of issues, including general issues, agricultural issues and the impacts from non-agricultural uses, dwelling issues, environmental and design and siting issues.

As previously mentioned, the applicant has advised that:

- The stud farm has been successful for over 20 years and that he wishes to continue to operate the business.
- A dwelling is now necessary on the site due to a change in personal circumstances, and to ensure that the business continues.
- It is not intended to intensify the use

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- It is noted that this business has operated successfully for 20 years without the benefit of a dwelling on the site.
- The applicant is the owner of the adjacent property, 140 Black Tank Road, which is a residential dwelling directly to the north of the application site. It is sited within the Rural Living Zone.

It is not considered that a dwelling on this land holding is required to clearly support an agricultural outcome. Rather, it is a matter of personal circumstances of the applicant. It is noted that a planning permit goes with the land, not a person. Personal circumstances can change frequently and are not therefore reflected in the Planning Scheme.

Relevant decision guidelines to this type of application in the Farming Zone include consideration of:

- How the use or development relates to sustainable land management.
- Whether the use or development will support and enhance agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

It is acknowledged that the cattle grazing is proposed to continue on the land and as such would not result in the loss of agricultural land. The construction of a dwelling on the site however, is considered to diminish the agricultural potential of site as a whole rather than enhance it. It is not considered therefore to be sustainable land management. The area is zoned as Farming Zone, which discourages residential dwellings on lots under 40 hectares. The applicant has not provided sufficient justification to allow a residential dwelling on this agricultural lot of 16.3 hectares.

It is also acknowledged that there are dwellings on lots in the vicinity of the application site where the lot size is less than 40 hectares. There is no planning history on these sites for a dwelling, although a building permit was issued for a dwelling at 555 Traralgon-Maffra Road in 1989. Planning controls were very different back then and it is not considered that any weight should be given to the existing dwellings in the vicinity of the application site for this reason. The provision of a new dwelling in the Farming Zone would have a negative impact as it would only contribute to the proliferation of dwellings within the area. Applications must be considered against the current planning scheme and assessed on their own merits.

There is a clear distinction between the Rural Living Zone, to the north of the site, and the Farming Zone, and although the zones abut, each zone has a different purpose.

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In summary, the proposal cannot therefore satisfy the relevant Farming Zone decision guidelines as such:

- There is inadequate justification that a dwelling is required to manage and operate the existing stud farming business which has been in successful operation for over 20 years. In addition, the applicant is the property owner of a residential dwelling on an adjacent site, which could be used to live in. The proposed dwelling is therefore not required for sustainable land management and is considered inappropriate development.
- The proposal would introduce a residential dwelling onto agricultural land which would potentially result in the loss or fragmentation of the land and limit the potential to consolidate this land with the larger lot to the west and south.
- The proposal would result in a concentration of dwellings in this part of the Farming Zone, which would detract from the use of the land for agriculture.

The proposal is therefore considered to be inconsistent with both the purpose and decision guidelines of the Farming Zone.

Although it may seem harsh, personal reasons arising from circumstances it not justification for allowing a dwelling on a site in situations where it is clearly not supported by the Latrobe Planning Scheme or Council policies.

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework. There is not considered to be any risks associated with this report.

**FINANCIAL RESOURCES IMPLICATIONS**

Additional resources or financial cost will only be incurred should the planning permit application require determination at the Victorian Civil and Administrative Tribunal (VCAT). However, an appeal can be resourced within the Planning team.

**OPTIONS**

Council has the following options in regard to this application:

- 1 Grant a Planning Permit
- 2 Refuse to Grant a Planning Permit

Council's decision must be based on planning grounds, having regard to the provisions of the Latrobe Planning Scheme.

**CONCLUSION**

The proposal is considered to be:

- Inconsistent with the strategic direction of the State and Local Planning Policy Frameworks;
- Inconsistent with the 'Purpose' and 'Decision Guidelines' of the Farming Zone; and
- Inconsistent with Clause 65 (Decision Guidelines).

**Attachments**

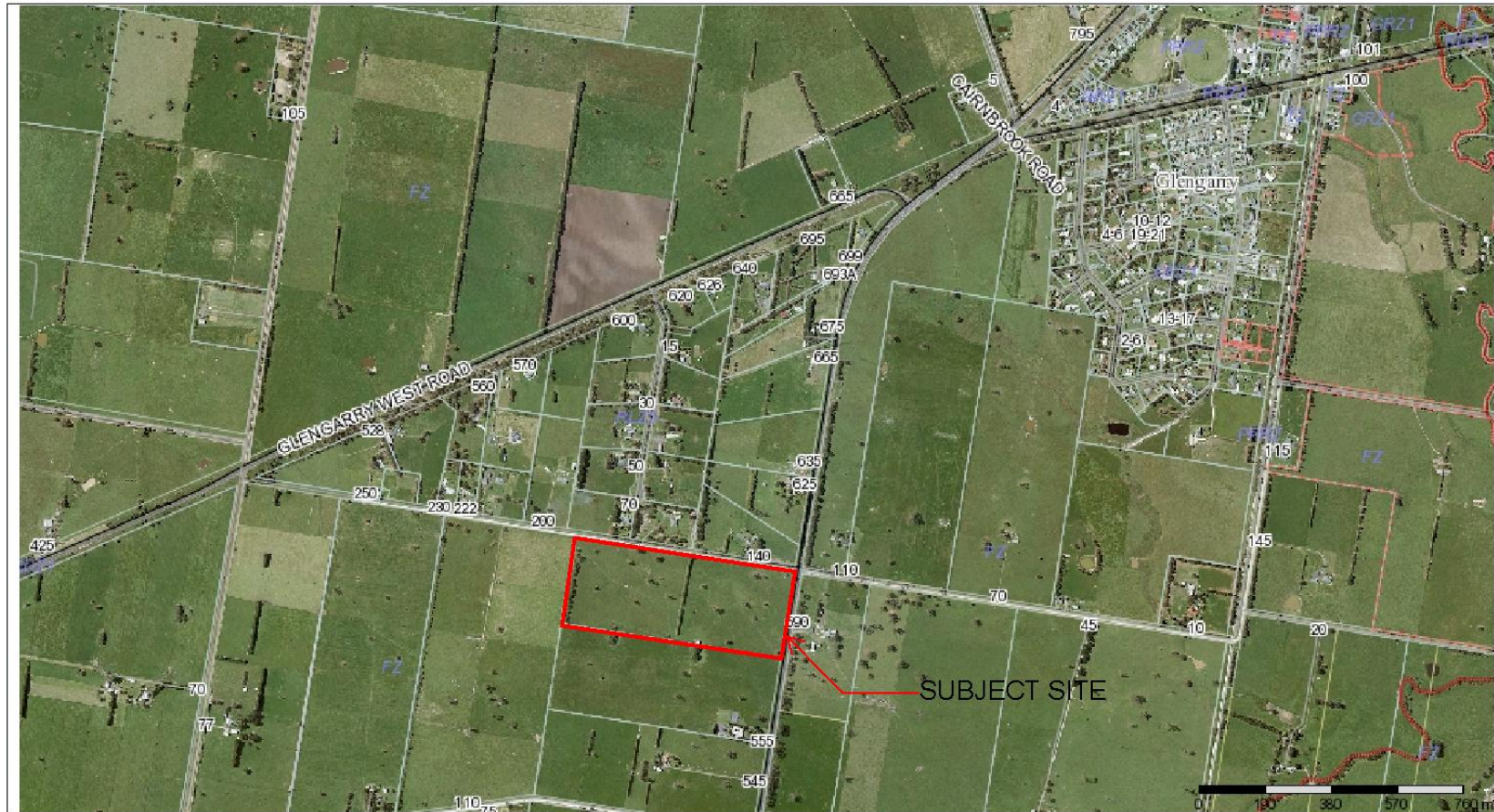
1. Site Context Plan 1
2. Site Context Plan 2
3. Plans and Elevations



## **13.6**

### **Planning Permit Application 2014/267 Use and development of a dwelling at Traralgon-Maffra Road, Glengarry (Lot 8 LP 5517).**



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<b>3</b>	<b>Plans and Elevations .....</b>	<b>645</b>

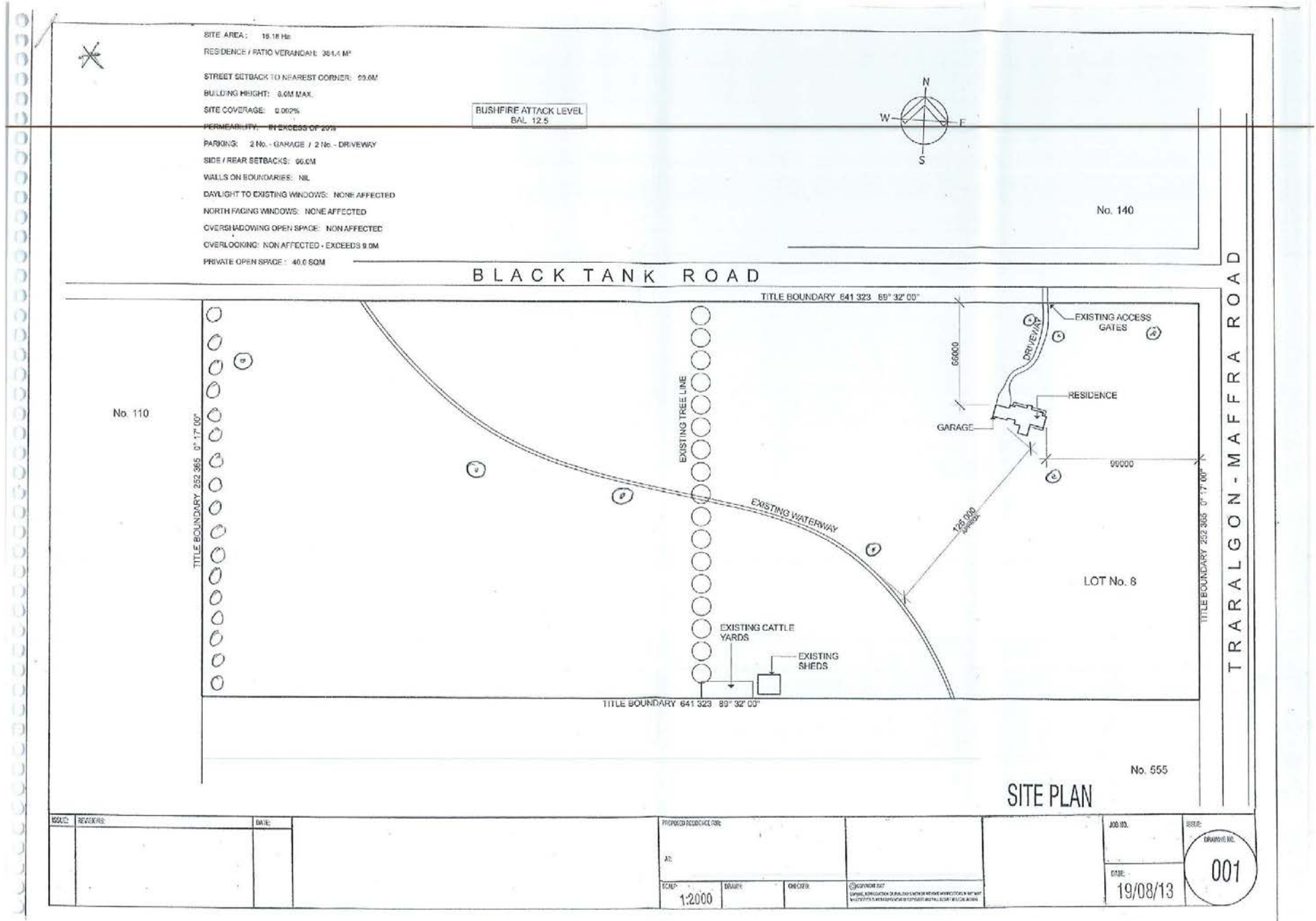




	<p><b>Note</b> The information shown on this map is derived from a variety of sources including, but not limited to, Vicmap Data, other State and Local Government Agencies data and Latrobe City Data.</p> <p><b>Disclaimer:</b> The State of Victoria does not warrant the accuracy or completeness of information in this publication and any person using or relying upon such information does so on the basis that the state of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p> <p>Latrobe City does not guarantee the accuracy or the currency of the information presented on this map and therefore Latrobe City will not be held liable for any loss or damage arising as a result of using this information.</p> <p>The location of features shown on this map is indicative only. The underground infrastructure location shown is not to be used as a substitute for Dial Before You Dig.</p> <p>The compilation of this map is subject to copyright laws and regulations; no part of this map can be reproduced without prior written consent of Latrobe City Council.</p>	<p>SITE CONTEXT PLAN</p>	<p>Thursday, 19 March 2015</p>	
			<p>Scale 1:16751</p>	



	<p><b>Note</b> The information shown on this map is derived from a variety of sources including, but not limited to, Vicmap Data, other State and Local Government Agencies data and Latrobe City Data.</p> <p><b>Disclaimer:</b> The State of Victoria does not warrant the accuracy or completeness of information in this publication and any person using or relying upon such information does so on the basis that the state of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p> <p>Latrobe City does not guarantee the accuracy or the currency of the information presented on this map and therefore Latrobe City will not be held liable for any loss or damage arising as a result of using this information.</p> <p>The location of features shown on this map is indicative only. The underground infrastructure location shown is not to be used as a substitute for <b>Dial Before You Dig</b>.</p> <p>The compilation of this map is subject to copyright laws and regulations; no part of this map can be reproduced without prior written consent of Latrobe City Council.</p>	<p>SITE CONTEXT PLAN 2</p>	<p>Thursday, 19 March 2015</p>	
			<p>Scale 1:5483</p>	

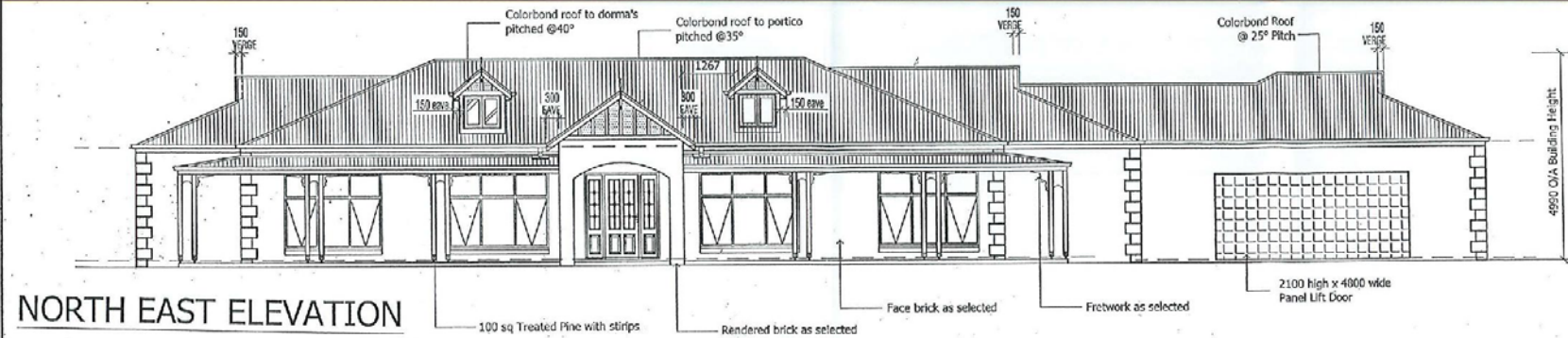


ISSUE	REVISIONS	DATE

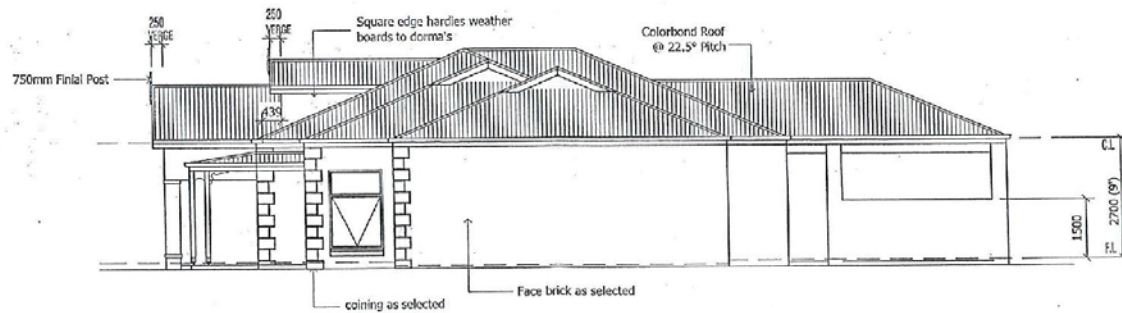
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PROPOSED DEVELOPER	
DATE	19/08/13

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 ISSUE:   
 DRAWING NO. **001**



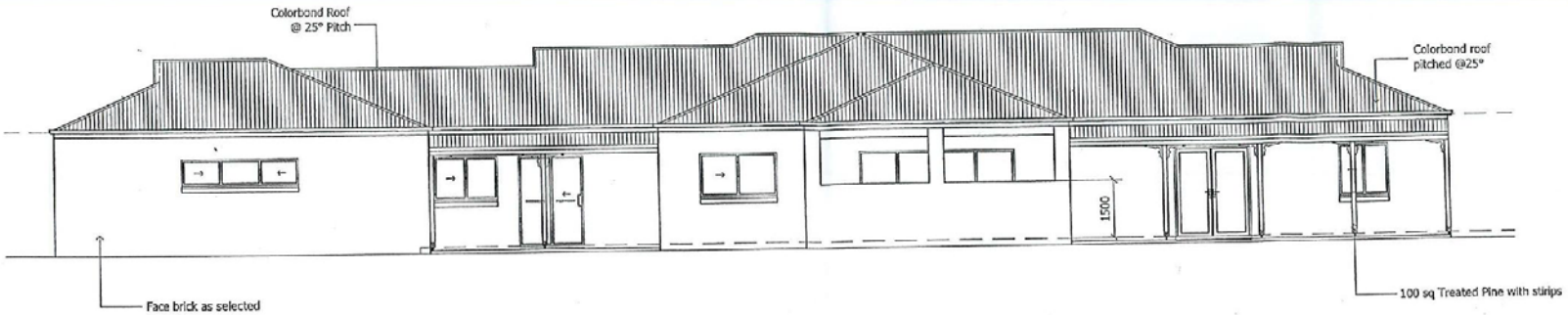
**NORTH EAST ELEVATION**



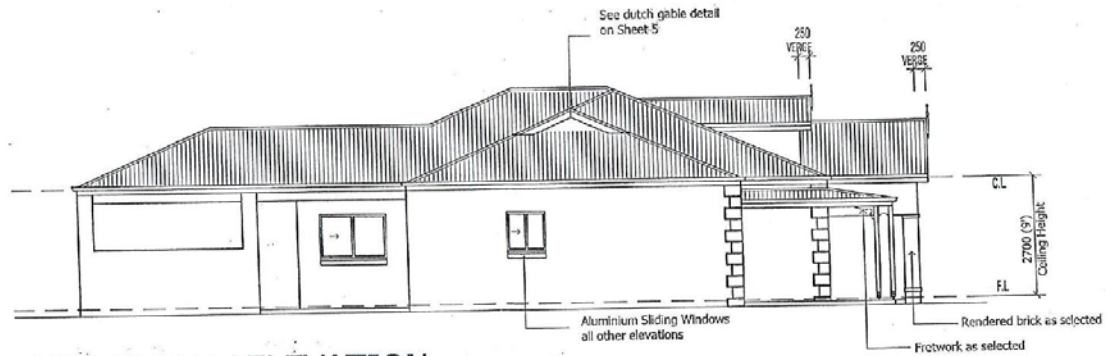
**NORTH WEST ELEVATION**

**ELEVATIONS**

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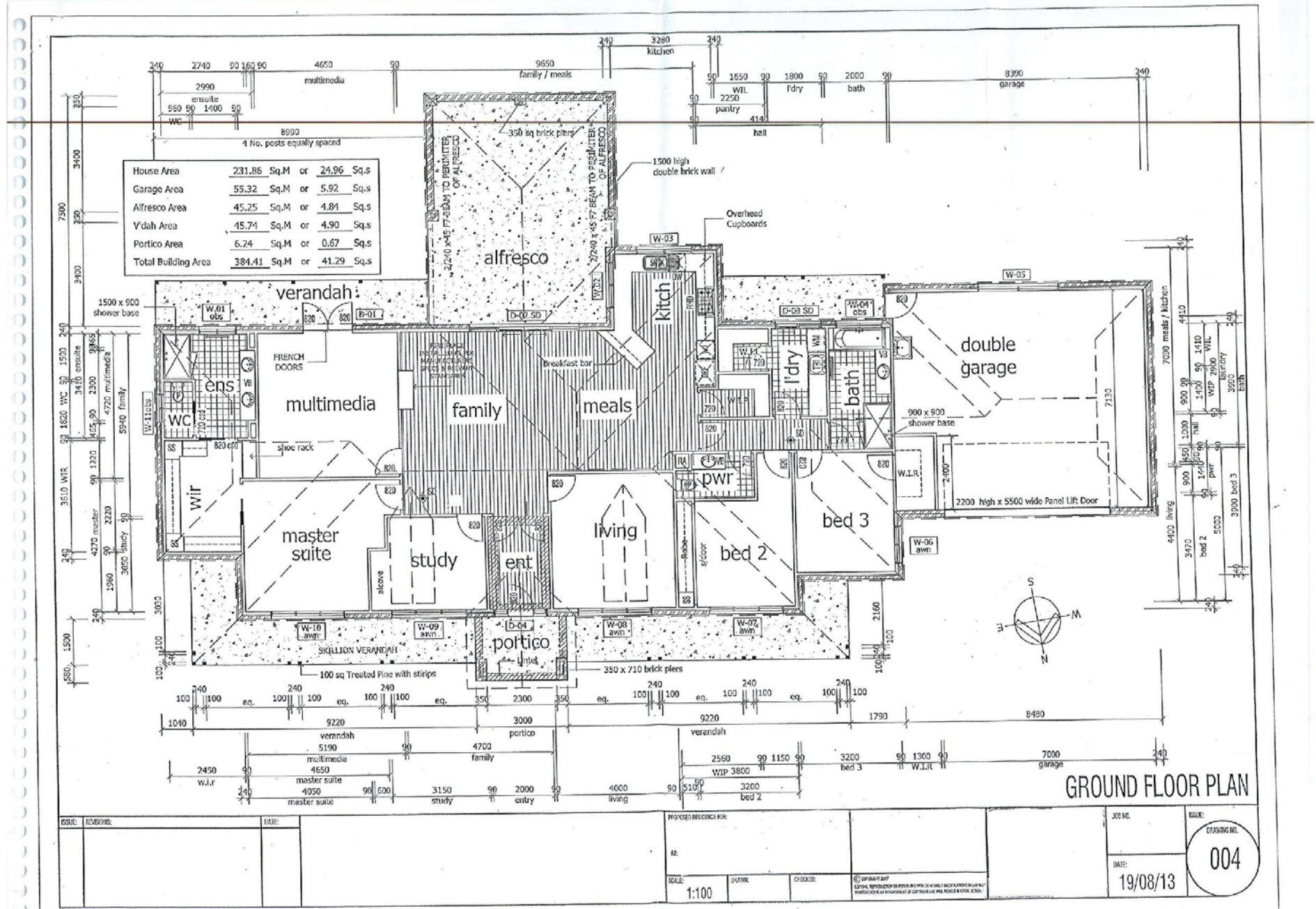
**SOUTH WEST ELEVATION**



**SOUTH EAST ELEVATION**

**ELEVATIONS**

ISSUED:	REVISIONS:	DATE:	PROPOSED RESIDENCE P/C:	JOB NO.:	ISSUE:
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**Moved:** Cr Rossiter  
**Seconded:** Cr O'Callaghan

That Council suspends the meeting for ten minutes.

**CARRIED UNANIMOUSLY**

**The Mayor called for a 10 minute break at 8:14pm.**

**Meeting resumed at 8:24pm.**

**13.7 TOONGABBIE FREE RANGE BROILER FARM PLANNING  
APPLICATIONS - LATROBE CITY COUNCIL SUBMISSION**

**General Manager**

**Planning & Economic  
Sustainability**

**For Decision**

**PURPOSE**

The purpose of this report is to seek Council consideration of a submission to the Wellington Shire Council in relation to the Toongabbie Free Range Broiler Farm Planning Applications.

**EXECUTIVE SUMMARY**

The purpose of this report is to seek Council consideration of a submission to the Wellington Shire Council in relation to two planning permit applications for Broiler Farms.

The applications are known as P26-2015 and P27-2015 and are proposed to be located on seven abutting lots on Toongabbie-Sale Road, Graham Road and Henderson Road. The lots are known as Lot 1 TP128123, C.A. 68 Parish of Toongabbie North, C.A. 67 Parish of Toongabbie North, C.A. 1, 2 & 3 Parish of Toongabbie South and C.A. 19 Parish of Toongabbie South.

After an assessment of the applications by the Statutory Planning department and Council Infrastructure team, the following matters have been identified:

1. Type of Broiler Farm classification
2. Traffic impact
3. Amenity to the Toongabbie community

**RECOMMENDATION**

1. That Council endorse the submission in relation to the Toongabbie Free Range Broiler Farm Planning Applications P26-2015 and P27-2015.
2. That the submission is forward to Wellington Shire Council Planning department.

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

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

*Latrobe 2026: The Community Vision for Latrobe Valley*  
*Strategic Objectives – Built Environment*

*In 2026 Latrobe Valley benefits from a well-planned built environment that is complimentary to its surrounds and which provides for a connected and inclusive community.*

*Strategic Objectives – Economy*

*In 2026, Latrobe Valley has a strong and diverse economy built on innovation and sustainable enterprise. The vibrant business centre of Gippsland contributes to the regional and broader communities, whilst providing opportunities and prosperity for our local community.*

*Strategic Objectives – Governance*

*In 2026, Latrobe Valley has a reputation for conscientious leadership and governance, strengthened by an informed and engaged community, committed to enriching local decision making.*

*Latrobe City Council Plan 2013 - 2017*



## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

### *Theme and Objectives*

#### *Theme 1: Job Creation and Economic Sustainability*

##### *Strategic Direction - Job Creation and Economic Sustainability*

*Provide timely and targeted infrastructure to support economic growth and the marketability of Latrobe City to industry and investors.*

#### *Theme 2: Appropriate, Affordable and Sustainable Facilities, Services and Recreation*

##### *Strategic Direction - Appropriate, Affordable and Sustainable Facilities, Services and Recreation*

*Develop and maintain community infrastructure that meets the needs of our community*

*Promote and support opportunities for people to enhance their health and wellbeing.*

*Encourage and create opportunities for more community participation in sports, recreation, arts, culture and community activities.*

*Improve and link bicycle paths, footpaths and rail trail networks to encourage physical activity and promote liveability.*

*Continue to maintain and improve access to Latrobe City's parks, reserves and open space.*

#### *Theme 5: Planning for the future*

##### *Strategic Direction – Planning for the future*

*Provide efficient and effective planning services and decision making to encourage development and new investment opportunities.*

*Plan and coordinate the provision of key services and essential infrastructure to support new growth and developments.*

### *Legislation*

*Local Government Act 1989*

*Planning and Environment Act 1987*

### **BACKGROUND**

A submission to planning permit applications P26-2015 and P27-2015 has been prepared on behalf of Council after a Notice of Motion was approved at the Ordinary Council meeting, 23 March 2015, being;

*'That Council Planning officers assess planning permit applications P26-2015 and P27-2015, proposed use and development of two broiler farms within Wellington Shire Council, so as to respond to the impact of the*

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

*proposed developments on Latrobe City residents, and provide recommendations to Council before the submission period closes on 24<sup>th</sup> April 2015.*

Please find the submission located at attachment 1.

Council received verbal notification from Wellington Shire Council on 17 March 2015 that two applications for a free range broiler farm were about to commence advertising to the wider community.

On the 20 March 2015, Latrobe City Council requested formal notification of the applications under Section 52 of the *Planning & Environment Act, 1987*.

### **KEY POINTS/ISSUES**

Contemporary Broiler Farms usually rely on automation rather than manual activity and, as such, economic benefits for a single Broiler Farm, or even a group, are likely to be limited. These economic benefits can be expected to be in the areas of transport and servicing.

However, once enough broiler farms are located locally, significant economic benefits are possible through the establishment of a central processing facility, generating jobs and associated economic flow on. The ideal location for Broiler Farms is in the Farming zone, on large parcels of land with easy access from road networks.

Council's Municipal Strategic Statement identifies Toongabbie as small settlement with approximately 450 residents. The role of the smaller settlements in Latrobe City is to provide important diversity of housing and lifestyle as well as to be rural service centres.

The proposed site of the broiler farms will see the closest of the farms being approx. 2.35km from the Wellington/Latrobe boundary, approx. 4.95km from the centre of Toongabbie (main street shops) and approx. 2.85km from the nearest dwelling in the Latrobe municipality.

The total land holding for the farms is 243 hectares and located in the farming zone. One application will consist of the use and development of a broiler farm (free range) and associated buildings, and the other will be for the use and development of a broiler farm (free range), associated buildings and a manager's residents. The sheds will be constructed on behalf of Inghams Group and consist of 400,000 birds per application/property (maximum of 800,000 birds).

### **Concern 1 - Type of Broiler Farm classification**

When assessing applications for a broiler farm the *Victorian Code for Broiler Farms 2009* (Broiler Code) provides the basis for the planning, design, assessment, approval, operation and management of broiler farms in Victoria.

- The Broiler Code does not apply to a free-range chicken meat farm. However this application seeks the flexibility to operate the farm to

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produce both free range chicken meat products or broiler chicken meat products, this then generates an assessment under the code.

- The applications before Wellington Shire make reference to the Broiler Code. It has been stated in the applications that as the number of birds on one land parcel is 400,000, the proposal can be assessed as a Class B Farm. (The Broiler Code classifies broiler farms as Class A, Class B, Special Class or Farm Clusters reflecting the different level of environmental and amenity risk of the broiler farm).

When combining both applications the actual number is 800,000 birds in one area/farm holding, therefore it could be argued that the application sits under a Special Class Farm. A Special Class Farm automatically generates the requirement for an Odour Environmental Risk Assessment (Odour ERA)

An Odour ERA is a staged process of modelling and analysing odour emissions from broiler farms that enables the responsible authority to assess the acceptability of the risk of offensive odour adversely impacting beyond the broiler farm boundary. Odour ERA will:

- enable assessment of environmental risks (odour) on a case-by-case basis
- help the responsible authority to understand the level of risk in relation to the local characteristics of an area
- provide greater certainty to industry that an investment in a new or expanded broiler farm will not have detrimental impacts on surrounding community amenity beyond the broiler farm boundary
- provide greater certainty to the community that a broiler farm will not affect their amenity.

Council has been advised that it was the applicant's preference to submit two separate planning applications; the responsible authority cannot impose that the submission be combined and therefore the assessment of the applications need to be undertaken separately.

The applicant could have been proactive in undertaken an Odour ERA; however it is not a requirement to do so under the Planning Scheme, and therefore a Planning department cannot enforce it to be performed.

Although there are no grounds for an objection to be raised in relation to an Odour ERA not being undertaken, Latrobe City Council can highlight that this could be considered beneficial to assist the greater community of certainty that the broiler farms will not affect their amenity.

### Concern 2 - Traffic impact

The Traffic Impact Assessment (TIA) Report submitted with the application indicates that traffic generated by the development is expected to include up to 30 vehicle movements per day. This would be on each of nine days occurring during week's five to eight of every nine week cycle (five cycles per year) for stage 1 of the development.

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The majority of vehicle movements during these periods are expected to be B-double trucks operating after 9 p.m. at night. Stage 2 of the development is expected to generate similar traffic volumes and types.

The development is proposed to be located on the Sale-Toongabbie Road within Wellington Shire. The TIA report advises that vehicle access to the site will be along this road west to the Traralgon-Maffra Road and vehicles will use the Traralgon-Maffra Road travelling through Toongabbie. The TIA report advises that the Sale-Toongabbie Road is a local road and use of the road by B-double vehicles will require approval by Wellington Shire.

The Traralgon-Maffra Road is a declared arterial road managed by VicRoads. B-double vehicles are permitted to use this road at all times without any further approval or restriction from VicRoads.

The TIA report does not provide an assessment of adequacy of the intersection of the Traralgon-Maffra Road and the Sale-Toongabbie Road to support the turning of B-double vehicles through the intersection. This intersection is located in Latrobe City however the whole of the road reserve is managed by VicRoads and a request for the provision of further information regarding the intersection is not Latrobe's responsibility, however Council will highlight this concern in the submission.

Our records indicate traffic volumes of approximately 2,000 vehicles movements per day along the Traralgon-Maffra Road within Toongabbie of which about 6% (120 vehicles per day) are commercial vehicles (trucks). Our records also indicate that there are about 20 truck movements per day along the Traralgon-Maffra Road within Toongabbie between 9 p.m. and 7 a.m.

Traffic count figures along the Traralgon-Maffra Road were not supplied and an assessment of the impact of the development on traffic movement through Toongabbie was not provided in the TIA report. Council can highlight this as a concern in any submission.

The TIA report suggests that both stages of the development together will generate up to 60 vehicle movements by B-doubles through Toongabbie at night. This is proposed to occur on up to 45 nights each year.

The proposed additional traffic volumes is not an issue as the Traralgon-Maffra Road has adequate capacity and is of a standard to provide for the additional traffic proposed. However amenity/environmental issues have been raised by the public. It would obviously be preferable if these truck movements could be undertaken during the day rather than at night. No assessment of the traffic environmental impact at night on the Traralgon-Maffra Road has been provided in the TIA report. Council will highlight this as a concern in the submission.

Concern 3 – Amenity to Latrobe Residents

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A tree buffer has been proposed to extend around all four sides of the chicken sheds and the sheds have been sited 160 metres and 217 metres from Toongabbie-Sale Road. Both these factors will reduce the visual impact of the sheds from road users and neighbours.

The planning report submitted with the application indicates predominant northerly and westerly winds; however there is no mention of summer easterly winds which could carry odour closer towards Latrobe than what the buffer distance covers.

Whilst the odour buffer area is 686m and the proposal clearly meets this in terms of proximity to Latrobe City, there still remains the possibility of odour from these farms being carried beyond the Latrobe boundary. How bad and how often would be subject to several variables (management of the farms, wind direction and speed, how many birds on site etc).

With the proposed sheds being located nearly 5km from the Toongabbie Township; it is difficult to conclude that amenity impacts will occur by the way of smell. There will definitely be more truck traffic through Toongabbie and past Glengarry, some of which is at night, which could be considered an amenity impact on the residents of Latrobe. When assessing an application, the effect on the amenity of the area must be weighed up against the benefits of the application and all matters set out in Section 60 of the Act and the Planning Scheme.

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

**FINANCIAL AND RESOURCES IMPLICATIONS**

There are no financial or resource implications as a result of consideration of this report of the submission

**INTERNAL/EXTERNAL CONSULTATION***Engagement Method Used:*

As the site of the proposals is near the Toongabbie Township, the Latrobe planning department offered to place the advertising packages in the Traralgon Customer Service Centre to allow community members closer access to view the documents.

Preparation of this submission has been undertaken utilising Council's internal staffing resources including an assessment by the Statutory Planning department and the Infrastructure team.

Wellington Shire Planning department has advised that external authorities have been referred the application including VicRoads, EPA and the Catchment Authority.

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

Also it has been advised by Wellington Shire that a community consultation meeting is scheduled for May, with details to be announced closer to this date.

Wellington Shire Council has full delegation and any decision on the applications can be made by an Officer.

**OPTIONS**

Council has the following options:

1. Endorse the submission for the *Broiler Farms proposal being planning permit application numbers P26-2015 and P27-2015*
2. Endorse the submission for the *Broiler Farms proposal being planning permit application numbers with amendments.*
3. Retract the draft submission for the *Broiler Farms proposal being planning permit application numbers P26-2015 and P27-2015*

**CONCLUSION**

A draft submission has been prepared to Wellington Shire Council in relation to Planning and Engineering concerns for the proposed Broiler Farm (Free Range) applications. It is noted that any objection from Council to these proposal could compromise any prospect of such operations being located within Latrobe.

Wellington Shire Council has requested that any submissions be lodged by Friday 24 April 2015.

**SUPPORTING DOCUMENTS****Attachments**

1. Submission to Wellington Shire Council

## **13.7**

### **Toongabbie Free Range Broiler Farm Planning Applications - Latrobe City Council Submission**

- 1 Submission to Wellington Shire Council..... 661**

Our Ref:  
DH:DT

14 April 2015

Wellington Shire Council  
Jan Cussen - Senior Statutory Planner  
SALE VIC 3850

Dear Ms Cussen

**PROPOSED BROILER FARMS (FREE RANGE) PLANNING APPLICATIONS,  
P26-2015 AND P27-2015**

Thank you for the opportunity to provide a submission in relation to the proposed Broiler Farm (Free Range) applications located at Toongabbie-Sale Road, Graham Road and Henderson Road Toongabbie.

Latrobe City Council would like to raise the following points of concern and, where possible, seek further clarification from the applicant.

1. The Traffic Impact Assessment (TIA) Report submitted with the application does not provide an assessment of adequacy of the intersection of the Traralgon-Maffra Road and the Sale-Toongabbie Road to support the turning of B-double vehicles through the intersection. Furthermore, the TIA Report has also not considered the adequacy of the intersection of the Traralgon Maffra Road and Princes Highway. These intersections are located in Latrobe City however the whole of the road reserve is managed by VicRoads.

Although this is not the responsibility of Latrobe City Council and Latrobe City is not in a position to request further information, can Council please be advised if these intersections have been broadly considered by VicRoads and Wellington Shire Council.

2. Traffic count figures along the Traralgon-Maffra Road were not supplied and an assessment of the impact of the development on traffic movement through Toongabbie was not provided in the TIA report.

Due to the increase in truck movements through this small township, can Council be provided advice as to how the impacts of the broader community have been considered.

3. As above, no assessment of the traffic environmental impact at night on the Traralgon-Maffra Road has been provided in the TIA report.

This should be considered as a part of any assessment.



4. It is understood that the *Victorian Code for Broiler Farms 2009* (Broiler Code) does not apply to a free-range chicken meat farm. However this application seeks the flexibility to operate the farm to produce both free range chicken meat products or broiler chicken meat products (as stated in the applications), this then generates an assessment under the code.

There is a concern that the applicant has sought that the applications be lodged separately and therefore not considered Special Class Farms under the Broiler Code, eliminating the requirement for an Odour ERA.

Council acknowledges that Wellington Shire cannot compel an applicant to combine their submissions, nor can you impose an Odour ERA requirement to be undertaken. However Latrobe City Council would like to highlight our disappointment with the process taken, if an Odour ERA was proactively undertaken, it would have been beneficial to assist the greater community of certainty that the broiler farms will not affect their amenity.

Council officers would be more than happy to meet with you and discuss the above. If you would like any further information please contact Debbie Tyson, Manager Statutory Planning, Building and Environmental Sustainability on 5128 5497 or via email [Debbie.tyson@latrobe.vic.gov.au](mailto:Debbie.tyson@latrobe.vic.gov.au)

Yours sincerely

DALE HARRIMAN  
**Mayor**

# COMMUNITY INFRASTRUCTURE & RECREATION

**14. COMMUNITY INFRASTRUCTURE & RECREATION****14.1 LATROBE CITY RECREATION PLAN 2014/15****General Manager****Community Infrastructure &  
Recreation****For Decision****PURPOSE**

The purpose of this report is to present the draft recreation master plans for the review of the Moe Outdoor Recreation Plan, Catterick Crescent Reserve master plan and the Maryvale Reserve master plan to Council for consideration and to seek endorsement to release them for community consultation in accordance with Council's Community Engagement Plan.

**EXECUTIVE SUMMARY**

The purpose of this report is to present the draft master plans for Catterick Crescent Reserve, Maryvale Reserve and the review of the Moe Outdoor Recreation Plan and seek Council's endorsement for their release to the public.

The Catterick Crescent Reserve master plan, Maryvale Reserve master plan and the review of the Moe Outdoor Recreation Plan were identified for completion as part of the 2014/15 business planning process.

Recommendations contained in the draft master plans respond to information and feedback provided by the community, adjoining residents and stakeholders.

Public exhibition of the draft master plans will provide an opportunity for the community and stakeholders to provide feedback and comments to inform the development of final recommendations for each master plan.

**RECOMMENDATION**

- 1. That Council releases the draft Moe Outdoor Recreation Plan, Catterick Crescent master plan and the Maryvale Reserve master plan for community consultation for a period of 4 weeks from Tuesday 14 April 2015 to Friday 15 May 2015.**
- 2. That a further report be presented to Council with the results of the community consultation process.**

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

**Moved:** Cr Gibson  
**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.**

**For the Motion**

Councillors Gibson, Rossiter, White, Sindt, O'Callaghan, Middlemiss, Harriman and Gibbons

**Against the Motion**

Councillor Kam

**The Mayor confirmed the Motion was CARRIED.**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives - Recreation*

*In 2026, Latrobe Valley encourages a healthy and vibrant lifestyle, with diversity in passive and active recreational opportunities and facilities that connect people with their community.*

*Latrobe City Council Plan 2013 - 2017*

*Theme and Objectives*

*Theme 2: affordable and sustainable facilities, services and recreation*

*Strategic Direction – Develop and maintain community infrastructure that meets the needs of our community.*

**BACKGROUND**

The Catterick Crescent Reserve master plan, Maryvale Reserve master plan and the review of the Moe Outdoor Recreation Plan were identified for completion as part of the 2014/15 business planning process.

The master plan review process will establish clear direction for the future planning, provision, enhancement and improvements of sport and community infrastructure at key recreation locations across Latrobe City.

These recreation mater plan projects commenced in August 2014 with SGL Consultants appointed to complete all three recreation master plans. The projects have been undertaken as a single project due to the similarities and synchronicity between the projects and budgetary savings.

### **KEY POINTS/ISSUES**

The draft recreation master plans comprise of individual draft master plans for the following sites:

Catterick Crescent Reserve master plan which includes:

- Catterick Crescent oval
- Traralgon Sports Stadium

Maryvale Reserve master plan

- Maryvale Reserve

Review of the Moe Outdoor Recreation Plan which includes:

- Burrage Reserve
- Joe Tabuteau Reserve
- Moe Olympic Park
- Monash Reserve
- Northern Reserve
- Ted Summerton

The recommendations in each of the master plans have been developed with regard to the results from an analysis of the demographics and sports participation rate, current recreation provision in Latrobe City, condition assessments and stakeholder consultation.

### **Catterick Crescent Reserve master plan**

The Catterick Crescent Reserve draft master plan has been developed following extensive consultation with both adjoining residents to the reserve, user groups from Catterick Crescent reserve and the Traralgon Sports Stadium user groups and stakeholders.

The Traralgon Stadium Usage Assessment 2012 undertaken for the Traralgon Sports Stadium identified the need for a minimum two additional courts for the current users. The draft master plan has responded to the recommendations of this report.

The master plan (Attachment 1 - 3) responds to the major themes raised during the engagement activities with local and adjoining residents and user groups of Catterick Crescent reserve and the Traralgon Sports Stadium. These themes include:

- Lack of parking at the site
- Retaining the oval as multi use open space/cricket football oval
- A pavilion for cricket/junior football
- Lack of paths and connectivity
- A play space for young children and teenagers
- Insufficient courts at the stadium for the current users
- Non-compliance of existing courts at the stadium for basketball and netball
- Insufficient courts to host significant events such as the Australian Junior Basketball Championships.

#### Maryvale Reserve master plan

The Maryvale Reserve master plan has been developed following extensive consultation with both adjoining and nearby residents and user groups and stakeholders of the reserve.

The master plan (Attachment 4) responds to the major themes raised by user groups and stakeholders of the reserve during engagement activities. These themes include:

- Upgrade of the existing pavilion to incorporate social rooms, training rooms, canteen facilities, male/female umpire change facilities and additional storage
- A new sports pavilion and multipurpose training facility to provide for cricket and grid iron users
- Improvement of drainage and irrigation to the Peter Siddle Oval and the Grid Iron pitch
- Installation of lighting to the Peter Siddle Oval
- Construction of a new junior cricket oval
- Formalise car parking at the reserve to maximise potential car parking spaces
- New shed for the Pigeon Club
- Additional activity space for the Maltese Club
- Relocation of the existing judges box and a upgrade of the existing fire track to include curb and channel

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

- Upgrade of the Marshalling track to provide water access and install relevant plugs
- New play spaces
- Construction of paths within the reserve to encourage connectivity and to improve the interface to Heritage Boulevard residential area

### Review of the Moe Outdoor Recreation Plan

The Review of the Moe Outdoor Recreation plan has been developed following extensive consultation with user groups and stakeholders of the following reserves in Moe and Newborough:

- Burrage Reserve
- Joe Tabuteau Reserve
- Moe Botanic Gardens
- Monash Reserve
- Northern Reserve
- Ted Summerton Reserve

The master plans (Attachment 5) respond to the major themes raised by the community, user groups and stakeholders of each reserve during engagement activities. Key themes for each reserve are as follows:

#### *Burrage Reserve*

- Redevelopment of the existing Soccer pavilion
- Redevelopment of the existing Cricket/Baseball pavilion to include change facilities for players and umpires
- Upgrade of lighting on the existing soccer pitch 1
- Installation of new irrigation on the existing soccer pitch 2
- Development of a multi-use oval/pitch to provide a third soccer pitch which is able to be utilised for cricket. Re-use lighting from pitch 1 on pitch 2.
- Upgrade no. 1 and no. 2 baseball diamonds
- Upgrade drainage to the cricket oval and modify turf wickets to 5 pitches
- Formalise car parking and entry road within the reserve
- Construct internal paths within the reserve to improve connectivity and activation.

#### *Joe Tabuteau Reserve*

- Retain the existing 10 Netball Courts until such time as funding becomes available to redevelop netball courts at Monash Reserve in Newborough as per the recommendations of the draft Monash Reserve draft master plan

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

- Formalise car parking surrounding the existing netball courts to maximise car parking options for user groups
- Construct a underpass to the internal ovals with access originating from Saviges Road through the existing Pony club entry
- Retain the existing vehicle access via the race track. Improve signage to direct sports field users to the proposed main entry on Saviges Road
- Redevelop the existing junior football/cricket pavilion to upgrade/improve amenities such as canteen, storage and external lighting.
- Provide spectator shelters to the internal ovals
- Upgrade the existing play spaces to incorporate modern play experiences
- Construct a shared path on Mitchells Road to improve connectivity from Mitchells Grove to Waterloo Road

### *Moe Botanic Gardens*

- Redevelop the existing tennis courts as per the Council adopted Moe Tennis Courts Needs Assessment (2014)
- Redevelop the existing tennis pavilion
- Investigate options for the upgrade of existing community infrastructure and play space at the reserve
- Improve signage and connection to the Moe Yallourn Rail Trail from the Moe Botanic Gardens
- Install new signage to redirect traffic to the main entrance for the reserve and promote tennis courts and gardens

### *Moe Olympic Reserve*

- Upgrade and improve drainage on the surround of pitch 1
- Install irrigation to pitch 1
- Upgrade lighting to pitch 1
- Upgrade and improve drainage to pitch 2 (The club has recently completed these works)
- Upgrade lighting to pitch 2
- Retain existing Bocce court
- Upgrade existing Swimming Club facilities for social rooms
- Extend the existing pavilion to include two female change facilities
- Improve and formalise car parking throughout the reserve (The club has commenced construction of a gravel car park on the northern section of pitch 1)



**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

- Construct internal paths to improve connectivity and activation of the reserve

*Monash Reserve*

- Redevelop the existing 8 tennis courts on the site to 10 outdoor tennis/netball courts that comply with Netball Victoria/Tennis Victoria facility standards
- Install match standard lighting to netball/tennis facility standards
- Install irrigation to pitch 1
- Construct a new shared facility for netball/tennis/paintball users, including separate storage spaces for user groups
- Upgrade and increase the size of Soccer pitch 1, improve drainage and install match standard lighting
- Upgrade and increase the size of Soccer pitch 2, improve drainage and relocate lights from pitch 1 to pitch 2
- Construct new internal paths to improve connectivity and activation of the reserve
- Construct and formalise car parking at the reserve to improve car parking opportunities
- Install informal picnic/seating areas within the reserve to improve activation

*Northern Reserve*

- Upgrade existing pavilion to include facilities for junior players
- Upgrade two existing play spaces
- Construct a new unstructured playing ground between the existing Latrobe Leisure Moe Newborough facility and the existing oval for junior sport
- Improve drainage and upgrade existing lighting on the main oval
- Investigate an alternative entry/exist from John Field Drive
- Construct a formal car park to link to the potential access/entry from John Field Drive
- Construct a new  $\frac{3}{4}$  netball practice court and upgrade existing lighting

*Ted Summerton Reserve*

- Upgrade and improve drainage and irrigation to the oval
- Upgrade club room amenities to improve access to toilets for netball and fire brigade users
- Construct additional storage for football and netball users

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

The risks to Council, related to this report, are

- The impacts of maintaining inadequate public facilities and infrastructure.
- Council's ability to finance and deliver the projects identified in the plans.

**FINANCIAL AND RESOURCES IMPLICATIONS**

Funds have been allocated in the 2014/15 budget year to enable the completion of the Catterick Crescent Reserve master plan, Maryvale Reserve master plan and the review of the Moe Outdoor Recreation Plan. Additional funding has been provided by Regional Development Victoria for the Catterick Crescent Reserve master plan and the Maryvale Reserve master plan.

Under the Local Government Act 1989 ("The Act"), Council is required to prepare and adopt an annual budget. The budget is required to be adopted by 30 June each year.

A four year Strategic Resource Plan has been developed to assist Council in adopting a budget within a longer term prudent financial framework. The key objective of the Financial Plan is financial sustainability in the medium to long term, whilst still achieving the Council's strategic objectives as specified in the Council Plan and Latrobe 2026 Vision.

"The Act requires a Strategic Resource Plan (SRP) to be prepared covering both financial and non-financial resources (including human resources) for at least the next four financial years to achieve the strategic objectives in the Council Plan. In preparing the SRP, Council must take into account all other plans and strategies in regard to services and initiatives which commit financial and non-financial resources for the period of the SRP.

The future adoption or endorsement of these recreation master plans requires Council to consider the possible implications to the Strategic Resource Plan.

**INTERNAL/EXTERNAL CONSULTATION***Engagement Method Used:*

SGL Consultants and Council Officers conducted a Councillor consultation session on 4 September 2015 and again with a Moe Councillor on 7 November 2014 to gain feedback for the development of the three draft master plans.

Following this initial consultation with Councillors, SGL consultants and Council officers engaged with all relevant external stakeholders.

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

These stakeholders and adjoining landowners were contacted by Council officers via letters, emails or phone calls and were given the option of coming to a community/stakeholder workshop or meeting with consultants and officers in an individual meeting.

### Community Workshops

The following community meetings/workshops were advertised in the Latrobe Valley Express and the Latrobe City website in order to reach a wider audience:

- Moe Town Hall (review of the Moe Outdoor Recreation Plan) – 25 participants
- Maryvale Reserve (Maryvale Reserve master plan) – 20 participants
- Traralgon Service Centre (Catterick Crescent Reserve master plan) – 30 participants

In addition five community meetings for local community members and adjoining residents to provide feedback and talk about how they would like to see the reserves improved.

### Survey

A survey to gather more feedback from residents and user groups was available on the Latrobe City Council website and all workshop attendees were encouraged both in person and with a follow up email to complete it.

The survey was advertised in the Latrobe Valley Express from September 2015 until 9 November 2014.

The draft master plans were presented to Councillors at an Information and Discussion session on 30 March 2015. The feedback from this session will be collated and provided to consultants for review with all other submissions and feedback that will be provided during the public exhibition period.

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

All feedback from the workshops, surveys and feedback was collated and provided to the consultants. All attendees of the workshops were emailed immediately following the workshop to encourage them to provide any further feedback in relation to the master plans.

Individual master plans for the following projects have been developed:

- Review of the Moe Outdoor Recreation Plan
- Catterick Crescent Reserve master plan
- Maryvale Reserve master plan

The draft plans will be available to view on line on Council's website, [www.latrobe.vic.gov.au](http://www.latrobe.vic.gov.au) or at the following Latrobe City Council Service Centres:

- Latrobe City Corporate Headquarters, 141 Commercial Road Morwell
- Traralgon Service Centre, Kay Street Traralgon

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

- Moe Service Centre, Albert Street Moe

One on one interviews will be offered between 14 April 2015 to 15 May 2015 to all interested stakeholders and community members who wish to meet and discuss the recommendations contained in the draft master plans.

In addition, letters and emails will be sent to all stakeholders involved from the original engagement activities to advise of the release of the draft master plans for community consultation and advise that written submission will be considered prior to Councils consideration of the final master plans.

A Public Notice will be placed in Council's noticeboard in the Latrobe Valley Express providing information about engagement activities until Monday 11 May 2015.

**OPTIONS**

Council has the following options available:

1. Endorse the draft Catterick Crescent Reserve master plan, Maryvale Reserve master plan and the review of the Moe Outdoor Recreation Plan for public exhibition for a period of 4 weeks from Tuesday 14 April 2015 to Friday 15 May 2015.
2. Not endorse the draft Catterick Crescent Reserve master plan, Maryvale Reserve master plan and the review of the Moe Outdoor Recreation Plan for public exhibition for a period of 4 weeks from Tuesday 14 April 2015 to Friday 15 May 2015.
3. Request further information or changes be provided in relation to the projects.

**CONCLUSION**

Latrobe City Council currently owns and manages a diverse range of public parks and reserves across the municipality.

Master plans for the Catterick Crescent Reserve, Maryvale Reserve and Moe Outdoor Recreation Plan were identified to be completed in the 2014/15 financial year.

These recreation master plan projects commenced in August 2014 with SGL Consultants appointed to complete all three recreation master plans. The projects have been undertaken as a single project due to the similarities and synchronicity between the project and the significant budgetary savings.

The draft recreation master plans for Catterick Crescent Reserve, Maryvale Reserve and the review of the Moe Outdoor Recreation Plan provide a clear process for the future planning, provision and enhancements of sport and community infrastructure at key recreation locations across Latrobe City.

Significant consultation has occurred thus far with all relevant stakeholders being contacted via individual meetings, letters, emails, phone calls and community workshops. Because of the extensive and thorough consultation undertaken for the development of the draft master plans with reserve users, stakeholders and the community, the public exhibition period for these master plans is recommended to be four weeks, from Tuesday 14 April to Friday 15 May 2015.

The valuable feedback provided by all stakeholders during the engagement activities was collated and formed the basis of the draft master plans that have now been provided.

Releasing the draft recreation master plans to the community for further engagement will provide all stakeholders with a further opportunity to consider and comment on the ideas and recommendations of the draft master plans prior to finalising the final recreation master plans.

### **SUPPORTING DOCUMENTS**

#### **Attachments**

1. Catterick Crescent Reserve Master Plan
2. Maryvale Reserve draft master plan March 2015
3. Moe Outdoor Recreation Plan draft master plans March 2015

## **14.1**

### **Latrobe City Recreation Plan 2014/15**

<b>1</b>	<b>Catterick Crescent Reserve Master Plan .....</b>	<b>677</b>
<b>2</b>	<b>Maryvale Reserve draft master plan March 2015.....</b>	<b>681</b>
<b>3</b>	<b>Moe Outdoor Recreation Plan draft master plans March 2015.....</b>	<b>683</b>



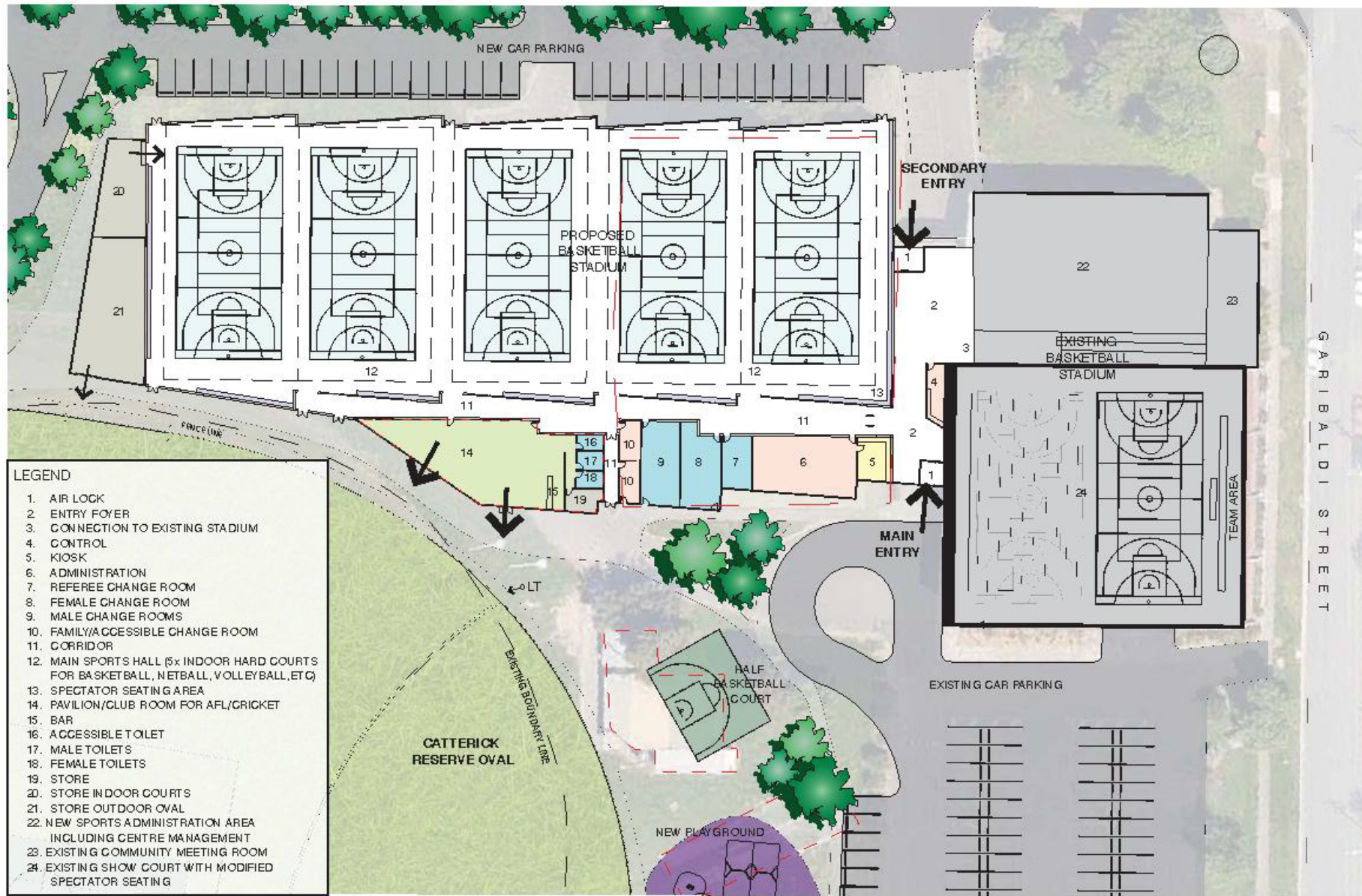
Preliminary Site Plan  
**Latrobe City Council**  
 Catterick Crescent Reserve Master Plan




PRELIMINARY ISSUE  
 Job Number: 21/09/09 Draw No: SK-01  
 Scale: 1:2000 Date: 20/03/2015  
 Author: P.S




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- LEGEND**
1. AIR LOCK
  2. ENTRY FOYER
  3. CONNECTION TO EXISTING STADIUM
  4. CONTROL
  5. KIOSK
  6. ADMINISTRATION
  7. REFEREE CHANGE ROOM
  8. FEMALE CHANGE ROOM
  9. MALE CHANGE ROOMS
  10. FAMILY/ACCESSIBLE CHANGE ROOM
  11. CORRIDOR
  12. MAIN SPORTS HALL (5x INDOOR HARD COURTS FOR BASKETBALL, NETBALL, VOLLEYBALL, ETC)
  13. SPECTATOR SEATING AREA
  14. PAVILION/CLUB ROOM FOR AFL/CRICKET
  15. BAR
  16. ACCESSIBLE TOILET
  17. MALE TOILETS
  18. FEMALE TOILETS
  19. STORE
  20. STORE INDOOR COURTS
  21. STORE OUTDOOR OVAL
  22. NEW SPORTS ADMINISTRATION AREA INCLUDING CENTRE MANAGEMENT
  23. EXISTING COMMUNITY MEETING ROOM
  24. EXISTING SHOW COURT WITH MODIFIED SPECTATOR SEATING



Preliminary Floor Plan  
**Latrobe City Council**  
Catterick Crescent Reserve Master Plan



PRELIMINARY ISSUE  
Job Number: 01/03/09    Proj No: **SK-02**  
Scale: 1:500 @ A3    Section: **P2**  
Date: 20/03/2015    SDC



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3D Site Perspective - Artistic Impression  
**Latrobe City Council**  
 Catterick Crescent Reserve Master Plan



PRELIMINARY ISSUE

Job Number	21/02/07	Proj No	<b>SK-03</b>
Scale	1:1	Version	<b>P2</b>
Date	20/02/2015		
Job Lead	SKS		

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Preliminary Site Plan  
**Latrobe City Council**  
 Maryvale Reserve Master Plan



PRELIMINARY ISSUE  
 Job Number: E/0904 Proj No: SK-01  
 Scale: 1:1 Scale: P.5  
 Date: 20/02/2015  
 Job Leader: SSS



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Preliminary Site Plan  
**Latrobe City Council**  
 Monash Reserve - Proposed Netball Facility



PRELIMINARY ISSUE

Job Number	01/09/02	Org No	
Scale	1:1000 @ 50	Revision	<b>SK-02</b>
Date	20/12/20/15		<b>P.5</b>
Job Leader			

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Preliminary Site Plan  
**Latrobe City Council**  
 Monash Reserve - Refurbished Soccer Facility



PRELIMINARY ISSUE  
 Job Number: 210202 Orig No: SK-03  
 Scale: 1:7500 @ A3 Revision: P.5  
 Date: 20.03.15  
 Issued by: SDC



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Preliminary Site Plan  
**Latrobe City Council**  
 Monash Reserve



PRELIMINARY ISSUE  
 Job Number: 210212 Dwg No: SK-09  
 Scale: 1:2000 © SG Revision: P4  
 Date: 20/12/2015  
 Job Leader: SGE



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Preliminary Site Plan  
**Latrobe City Council**  
 Botanical Gardens



PRELIMINARY ISSUE

Job Number	21/09/02	Orig No	
Scale	1:1000 @ A3	Revision	SK-04
Date	20/12/2015		P.5
Job Leader	SBS		

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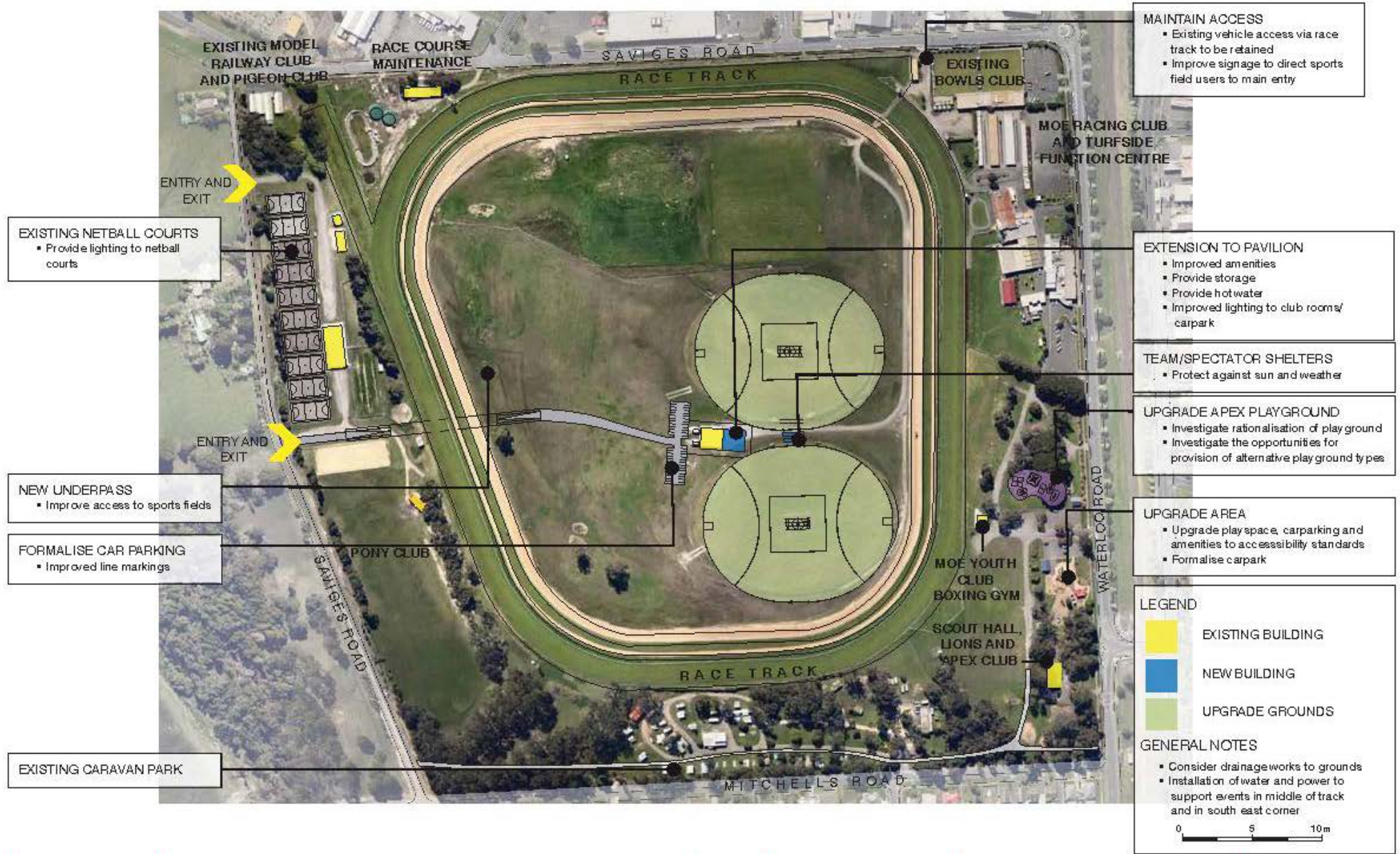
Preliminary Site Plan  
**Latrobe City Council**  
 W. H. Burrage Reserve



PRELIMINARY ISSUE  
 Job Number: 210102 Orig No:  
 Scale: 1:250 @ A3 Revision: SK-05  
 Date: 20.03.2015 P/A  
 Job Leader: SSS

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Preliminary Site Plan  
**Latrobe City Council**  
 Joe Tabuteau Reserve - Stage One



PRELIMINARY ISSUE  
 Job Number: 81/09/02    Proj No: SK-06A  
 Scale: N.T.S.    Revision: P.6  
 Date: 29/03/2015  
 Job Leader: SGC



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Preliminary Site Plan  
**Latrobe City Council**  
 Joe Tabuteau Reserve - Stage Two



PRELIMINARY ISSUE  
 Job Number: 237922 Draw No: SK-06B  
 Scale: N.T.S. Revision: P.6  
 Date: 29.03.2015  
 Job Leader: SRS



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Preliminary Site Plan  
**Latrobe City Council**  
 Northern Reserve



PRELIMINARY ISSUE  
 Job Number: 21/02/02 Proj No: SK-07  
 Scale: 1:2000 Date: 20/02/2015 Revision: P.6  
 Job Leader: SDC

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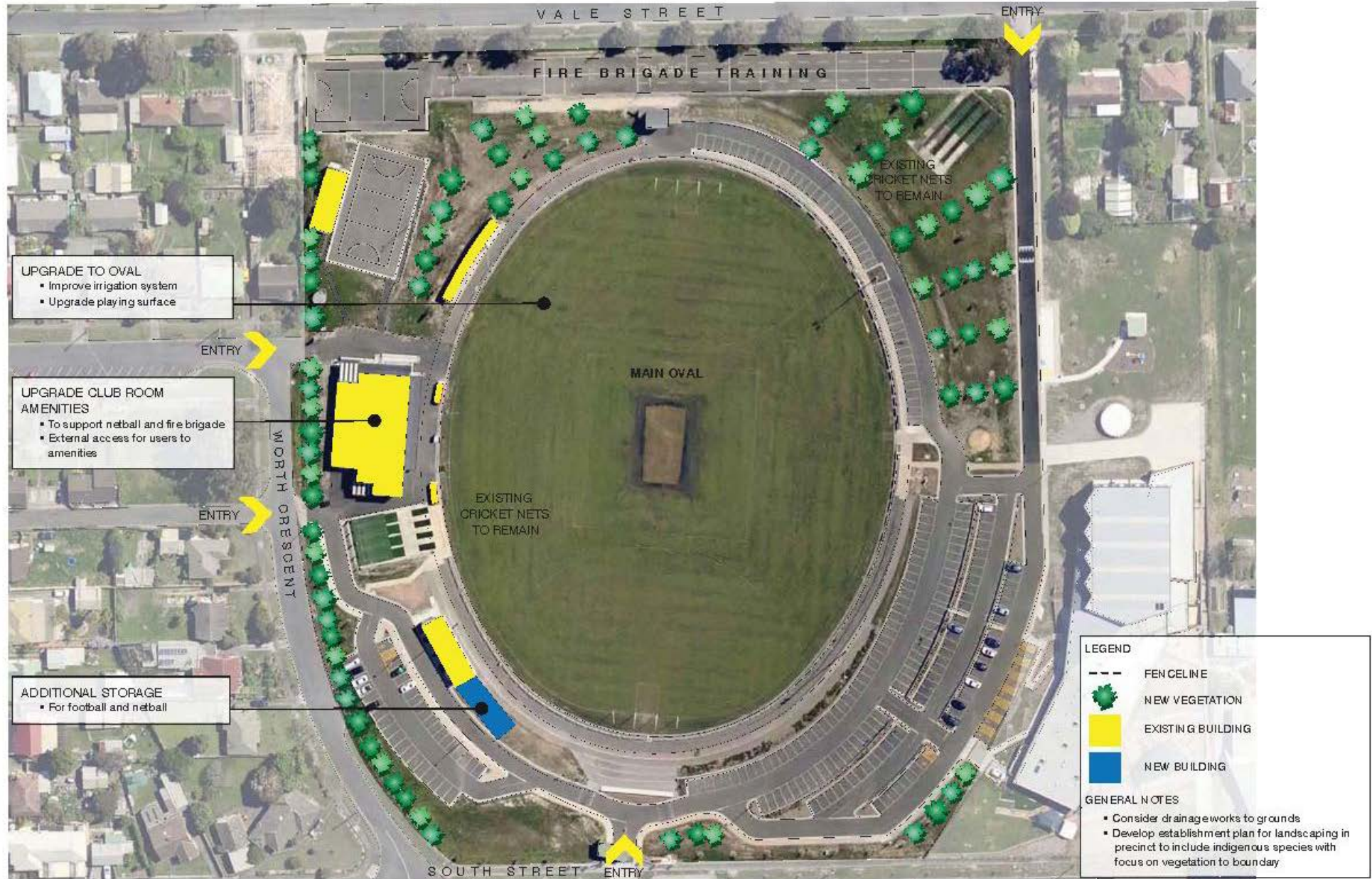
Preliminary Site Plan  
**Latrobe City Council**  
 Olympic Park



PRELIMINARY ISSUE  
 Job Number: 21/02/02 Dwg No: SK-08  
 Date: 11/03/15 Revision: P.5  
 Code: 20/03/2015 SES



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Preliminary Site Plan  
**Latrobe City Council**  
 Ted Summerton Reserve



PRELIMINARY ISSUE  
 Job Number: 01/09/10 Dwg No: **SK-09**  
 Scale: 1:1000 @ A0 Section: **P.6**  
 Date: 29/03/2015  
 Job Leader: SRS

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# COMMUNITY LIVEABILITY

Councillor Sharon Gibson left the meeting, the time being 08:44 PM

Councillor Sharon Gibson returned to the meeting, the time being 08:46PM

## **15. COMMUNITY LIVEABILITY**

### **15.1 CHURCHILL AND DISTRICT COMMUNITY HUB ADVISORY BOARD MEMBERSHIP**

**General Manager**

**Community Liveability**

**For Decision**

#### **PURPOSE**

The purpose of this report is to seek Council endorsement to appoint community members of the Special Committee of Council to form an Advisory Board for the Churchill and District Community Hub.

#### **EXECUTIVE SUMMARY**

The Churchill and District Intergenerational Community Hub is a unique facility that aims to provide a venue that brings individual members of the community, organisations and agencies together in an atmosphere of support to systematically address and meet community needs.

Involvement of the community in the management and operation of the Hub has been a key principle in its development, design and proposed operation. To this end a two tiered structure is being established:

- An Advisory committee providing overall strategic and policy direction.
- An Operational Committee providing oversight of the day-to-day functioning of the facility.

The Advisory Committee will provide a means for the Churchill and District community to be directly involved in the overall management and the future development of the Hub. In doing so it will promote the development of community capacity building by planning effectively for the future of the facility, taking into consideration diverse and changing community needs.

The current expiration term for the Churchill and District Community Hub Advisory Committee was 5 March, 2015 and endorsement of new members or re-election of current members is now being sought from Council.

The new term of three years will conclude on 5 March 2018.

**RECOMMENDATION**

That Council note the quality of the applicants and their substantial experience and endorse the appointments of the following for a three year term, concluding on 5 March 2018:

- Mr Allan Scarlett
- Mr Rob Whelan
- Ms Margaret Guthrie, and
- Mr Mike Answerth

**Moved:** Cr White  
**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.**

**For the Motion**

Councillors Gibson, White, O'Callaghan, Middlemiss, Harriman and Gibbons

**Against the Motion**

Councillors Rossiter, Sindt and Kam

**The Mayor confirmed the Motion was CARRIED.**

**DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

***Latrobe 2026: The Community Vision for Latrobe Valley***

*Strategic Objectives –In 2026, Latrobe Valley benefits from a well-planned built environment that is complementary to its surroundings and which provides for a connected and inclusive community.*

*In 2026, Latrobe Valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.*

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

*Theme 1: Job creation and economic sustainability*

*Theme 2: affordable and sustainable facilities, services and recreation*

*Theme 3: Efficient, effective and accountable governance*

*Theme 4: Advocacy for and consultation with our community*

*Theme 5: Planning for the future*

**BACKGROUND**

At its Ordinary Meeting of 16 July 2012, Council resolved as follows:

1. *That the Churchill and District Community Hub Board be reconstituted as the Churchill & District Community Hub Advisory Committee.*
2. *That 2012 – 2013 Council Delegates and Committees Instrument of Delegation [12 DEL-5] be produced to reflect the resolutions of Council.*

The Churchill and District Community Hub is a unique facility that aims to provide a venue that brings individual members of the community, organisations and agencies together in an atmosphere of support to systematically address and meet community needs.

Involvement of the community in the management and operation of the Hub has been a key principle in its development, design and proposed operation. To this end a two tiered structure was established:

- An Advisory Committee providing overall strategic and policy direction
- An Operational Committee providing oversight of the day-to-day functioning of the facility.

The Advisory Committee provides a means for the Churchill and District community to be directly involved in the overall management and the future development of the Hub. In doing so it will promote the development of community capacity building by planning effectively for the future of the facility, taking into consideration diverse and changing community needs.



## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

The key role of the Advisory Committee is to:

- *convene a separate committee representing Churchill and District Community Hub users and tenants, and to hear and consider their recommendations for the future use of the Hub;*
- *develop policies and rules for use of the Churchill and District Community Hub by members of the public and user groups and to enforce any such policies;*
- *develop non-operational parts of the Churchill and District Community Hub for compatible purposes with the consent of Council;*
- *review the Advisory Committee's terms of reference every two years and make any recommendations for change to Council;*
- *prepare for approval by Council a four year strategic plan;*
- *develop policies for use within the Hub;*
- *make recommendations to Council to participate in and undertake any other activities associated with the Churchill and District Community Hub.*

### **KEY POINTS/ISSUES**

After the change of status of the Advisory Committee from the formerly named Section 86 Committee -Churchill and District Community Hub Board, an Advisory Committee was formed with a three year term from 5 March 2012 to 5 March 2015.

The Deed of Delegation specifies a five to seven member Board, comprised of the following representatives:

- One Councillor (Chair)
- Latrobe City Council Chief Executive Officer or his/her delegate
- Three to five community members.

Community members are appointed by Council for a three year period.

The Manager Child and Family Services currently sits as an Ex-Officio member of the Churchill and District Community Hub Advisory Committee, as the delegate of the Chief Executive Officer.

Expressions of Interest for community membership of the Churchill and District Community Hub Advisory Committee were invited, as agreed by the Advisory Committee and as outlined in the consultation section of this report. During the period of time that expressions of interest were opened there were submission made by either (potential) new or existing committee members.

As a result of this lack of formal interest conversations occurred between the current Chair, Cr Darrell White and existing committee members, who all agreed that they would be pleased to complete another term of membership. The current committee members wishing to extend their term of membership are listed as follows:

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

**Mr Allan Scarlett** is the Executive Officer of the Office of the Pro-vice Chancellor, Federation University. Mr Scarlett has served on a range of community and work related organisations which serve Latrobe City. These include Federation University representative on the Churchill & District Community Association; current Member, Management Group, Gippsland Education Precinct; Vice President, Kay Street Pre School Committee 1998 – 2001; and representative, Monash University Gippsland/Federation University Advisory Council 1994 – present.

**Mr Rob Whelan** has a long history of community engagement, particularly in Churchill. Since 1969 Mr Whelan has served the people of Churchill through his work in local government project planning and community consultations. Mr Whelan produced the Churchill Recreational Paths and Corridors Report, consulting extensively with the community and stakeholders. Mr Whelan has been an active member of the Churchill and District Community Association for over thirteen years and currently holds the office of Secretary.

**Ms Margaret Guthrie** has a strong history of community involvement spanning many years. Ms Guthrie is chair of the Victorian Public Tenants Association and president of the Churchill & District Community Association, as well as other office bearing duties. Ms Guthrie has been a keen advocate of the Churchill community for many years and has extensive networks within the local community and in Gippsland.

**Mr Mike Answerth** has been a resident of Churchill for 45 years and was a member of the original Churchill Citizens Association. Mr Answerth was the Churchill representative on the Morwell Water Trust, President of the Rotary Club of Hazelwood on two occasions, and past secretary and committee member of Churchill Football Club. He currently holds the position of Chairman, Lumen Christi Parish Council and is a board member of Gippsland Rotary Centenary House.

It is noted that all existing committee members have strong links with the community, a breadth of networks and experience, specific skills, and an alignment to the philosophy of the Hub as an inclusive and integrated community service and facility.

As a result of this process the following applicants are recommended to be appointed to the community member positions on the Special Committee.

- Mr Allan Scarlett
- Mr Rob Whelan
- Ms Margaret Guthrie, and
- Mr Mike Answerth

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

There is not considered to be any risks associated with this report.

**FINANCIAL AND RESOURCES IMPLICATIONS**

All expenses related to the operation of the Advisory Committee of Council for the governance of the Churchill and District Community Hub is included in Council's annual adopted budget.

**INTERNAL/EXTERNAL CONSULTATION***Engagement Method Used:*

Advertisements inviting Expressions of Interest for membership of the Churchill and District Intergenerational Community Hub Special Committee were placed as follows:

- Latrobe Valley Express on 23 February, 2 March & 16 March 2015;
- March edition of the Churchill and District News; and
- Latrobe City Council website.

*Details of Community Consultation / Results of Engagement:*

There were no expressions of interest received as a result of the advertisements placed.

Further conversations between the Chair of this committee, Cr Darrell White and existing members resulted in a verbal commitment from existing members that they would be pleased to complete an other term.

**OPTIONS**

1. Council endorse the following members :
  - Mr Allan Scarlett
  - Mr Rob Whelan
  - Ms Margaret Guthrie, and
  - Mr Mike Answerthof the Churchill and District Community Hub Advisory Committee for a period of three years, concluding 5 March 2018.
2. Council readvertise membership of this committee for a period of time, with the view to inviting new membership. It should be noted that in this circumstance the committee in its current form is unable to operate under the existing terms of reference and that as a result no decisions can be made by the committee.
3. Council endorse the proposed members (as outlined in option 1) and continue to advertise for addition members, up to the amount allowable within the terms of reference.

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)****CONCLUSION**

All applicants are current serving members of the advisory committee and, with the exception of Ms Guthrie have served as advisory committee members since the Hub's inception in 2008. Ms Guthrie has been involved as an active member of the committee for approximately two years.

**SUPPORTING DOCUMENTS**

Churchill and District Community Hub Terms of Reference.

**Attachments**

1. Churchill and District Community Hub Advisory Committee members EOI Churchill News February 2015
2. Churchill and District Community Hub Advisory Committee members EOI Council Noticeboard February 2015

## **15.1**

### **Churchill and District Community Hub Advisory Board Membership**

- 1 Churchill and District Community Hub Advisory  
Committee members EOI Churchill News February 2015 ..... 703**
- 2 Churchill and District Community Hub Advisory  
Committee members EOI Council Noticeboard February  
2015..... 705**

SIZE FORMATTED:

COST:

5 February, 2015



**ADVERTISEMENT**

FOR INSERTION IN : CHURCHILL NEWS

ISSUE OF : **X TWO ISSUES**

OUR REF: : AD:  
Budget No: R3405.3555.0000

Requesting Officer : Jodie Pitkin

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**EXPRESSIONS OF INTEREST  
CHURCHILL & DISTRICT COMMUNITY HUB ADVISORY COMMITTEE**

Expressions of Interest are invited from people interested in participating as a representative on the Churchill & District Community Hub Advisory Committee.

The Advisory Committee provides a means for the Churchill and District community to be directly involved in the overall management and the future development of the Hub. In doing so it will promote the development of community capacity building by planning effectively for the future of the facility, taking into consideration diverse and changing community needs.

The key role of the Advisory Committee is to:

- convene a separate committee representing Churchill and District Community Hub users and tenants, and to hear and consider their recommendations for the future use of the Hub;
- develop policies and rules for use of the Churchill and District Community Hub by members of the public and user groups and to enforce any such policies;
- review the Board's terms of reference every two years and make any recommendations for change to Council;
- prepare for approval by Council a four year strategic plan;

- make recommendations to Council to participate in and undertake any other activities associated with the Churchill and District Intergenerational Community Hub.

If you have any qualifications and/or experiences that you consider may be beneficial to the committee, please forward your Expression of Interest to Jodie Pitkin, Manager Child and Family Services, Latrobe City Council, PO Box 264 Morwell 3840, by no later than Thursday, 5 March, 2015.

For more information regarding the Churchill and District Community Hub Advisory Committee please contact Manager Child and Family Services/Local Laws, Jodie Pitkin on 5128 5603 or via email [Jodie.Pitkin@latrobe.vic.gov.au](mailto:Jodie.Pitkin@latrobe.vic.gov.au).

SIZE FORMATTED:

COST:

5 February, 2015



**ADVERTISEMENT**

FOR INSERTION IN : NOTICEBOARD  
Latrobe Valley Express

ISSUE OF : Monday 16 February 2015  
Thursday 19 February 2015  
Monday 23 February 2015

OUR REF: : AD:  
Budget No: R3405.3555.0000

Requesting Officer : Jodie Pitkin

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**EXPRESSIONS OF INTEREST  
CHURCHILL & DISTRICT COMMUNITY HUB ADVISORY COMMITTEE**

Expressions of Interest are invited from people interested in participating as a representative on the Churchill & District Community Hub Advisory Committee.

The Advisory Committee provides a means for the Churchill and District community to be directly involved in the overall management and the future development of the Hub. In doing so it will promote the development of community capacity building by planning effectively for the future of the facility, taking into consideration diverse and changing community needs.

The key role of the Advisory Committee is to:

- convene a separate committee representing Churchill and District Community Hub users and tenants, and to hear and consider their recommendations for the future use of the Hub;
- develop policies and rules for use of the Churchill and District Community Hub by members of the public and user groups and to enforce any such policies;
- review the Board's terms of reference every two years and make any recommendations for change to Council;
- prepare for approval by Council a four year strategic plan;



- make recommendations to Council to participate in and undertake any other activities associated with the Churchill and District Intergenerational Community Hub.

If you have any qualifications and/or experiences that you consider may be beneficial to the committee, please forward your Expression of Interest to Jodie Pitkin, Manager Child and Family Services, Latrobe City Council, PO Box 264 Morwell 3840, by no later than Thursday, 5 march

For more information regarding the Churchill and District Community Hub Advisory Committee please contact Manager Child and Family Services/Local Laws, Jodie Pitkin on 5128 5603 or via email [Jodie.Pitkin@latrobe.vic.gov.au](mailto:Jodie.Pitkin@latrobe.vic.gov.au).

**15.2 CHURCHILL AND DISTRICT COMMUNITY HUB STRATEGIC  
PLAN 2014 - 2018****General Manager****Community Liveability****For Decision****PURPOSE**

The purpose of this report is to present the draft Churchill and District Strategic plan 2014 – 2018 to council for endorsement, following an 8 week period of community consultation.

**EXECUTIVE SUMMARY**

A requirement of the Churchill and District and District Hub Advisory Committee (the Advisory Committee) terms of reference is the development of a four year strategic plan, which is to be presented to council for endorsement.

Following consultation with the community and the service providers of the Churchill and District Community Hub (the Churchill Hub) the advisory Committee developed a draft Churchill and District Community Hub Strategic plan 2014 – 2018 designed to guide the direction and priorities of the Churchill Hub over the next four years.

This plan will build on the success achieved since the construction of the Churchill Hub and includes actions designed to further enhance services and community use.

It is recommended that council endorse the Churchill and District Community Hub Strategic Plan 2014 – 2018.

**RECOMMENDATION****That Council endorse the Churchill and District Hub Strategic Plan 2014 – 2018**

**Moved:** Cr White  
**Seconded:** Cr Middlemiss

**That the Recommendation be adopted.****CARRIED UNANIMOUSLY****DECLARATION OF INTEREST**

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

**STRATEGIC FRAMEWORK**

This report is consistent with Latrobe 2026: The Community Vision for Latrobe Valley and the Latrobe City Council Plan 2013-2017.

**Latrobe 2026: The Community Vision for Latrobe Valley*****Strategic Objectives***

In 2026 Latrobe valley benefits from a well planned built environment that is complimentary to its surroundings and which provides for a connected and inclusive community.

In 2026 Latrobe Valley is one of the most liveable regions in Victoria, known for its high quality health, education and community services, supporting communities that are safe, connected and proud.

**Latrobe City Council Plan 2013 - 2017****Theme and Objectives**

*Theme 1: Job creation and economic sustainability*

*Theme 2: affordable and sustainable facilities, services and recreation*

*Theme 3: Efficient, effective and accountable governance*

*Theme 4: Advocacy for and consultation with our community*

*Theme 5: Planning for the future*

**BACKGROUND**

The 'official' opening of the Churchill Hub occurred on May 1 2009, although the facility had been operating as a community hub for a short period of time prior to this date. The underlying concept in developing the Churchill Hub was to provide a venue that brings individual members of the community, groups, organisations and agencies together in an atmosphere of support to systematically address and meet community needs.

The Churchill Hub was initially overseen by a section 86 committee which converted to an Advisory Committee in July 2012, following a recommendation of the Board and endorsement by Council. The Churchill Hub Advisory Committee now operates as a committee of Council in line with the Terms of reference (ToR) adopted by Council in July 2012 and is currently chaired by CR Darrell White. The ToR indicates that the Churchill Hub Advisory Committee shall assist and advise Council on the development of community capacity building by planning effectively for the future of the facility, taking into consideration diverse and changing community needs. The Churchill Hub, servicing a large area of Southern Latrobe City, brings together in one central facility; the Churchill Neighbourhood House; Pooh Corner Childcare Centre; the Churchill

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

Men's Shed; the Latrobe City Council service Centre and Library; Churchill Hub Preschool and Maternal and Child health Service as well as community meeting rooms and kitchen facilities.

### **KEY POINTS/ISSUES**

The Churchill Hub Advisory Committee ToR note that the Advisory Committee shall; prepare for approval by Council a four year strategic Plan on the future of the Churchill Hub.

The Churchill Hub Advisory Committee has consulted with community members and users of the Churchill Hub to collaboratively develop the draft Churchill and District Community Hub Strategic Plan 2014 – 2018.

This four year strategic Plan is designed to guide the direction and priorities of the Churchill Hub over the next four years. The plan has identified three main focus areas which are as listed:

- Service delivery,
- Planning for the future, and
- Community

Stage 1 – planned actions, focus on proactive management of the facility through collection of utilisation data and ensuring best practice for users.

Stage 2 – focus on possible expansion of the facility with a key feature of the planned actions an ongoing commitment to explore flexible use spaces in response to the needs identified by the community.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework.

There is not considered to be any risks associated with this report

### **FINANCIAL AND RESOURCES IMPLICATIONS**

Endorsement of the strategic plan presents no financial or resource implications.

Any proposed future actions resulting from work completed as part of this strategic plan that may have financial or resource implications will be presented to Council for further consideration by the Churchill Hub Advisory Committee.

**INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

The Churchill and District Community Hub Advisory Committee participated in a strategic Planning workshop for the development of the strategic plan in December 2012.

*Details of Community Consultation / Results of Engagement:*

The Churchill and District Community, including Hub user groups were surveyed in 2013 to assess if the services currently provided were meeting their needs and expectations and to identify any areas for improvement.

Feedback from the Churchill community survey identified the aspirations for the Churchill and District Community Hub and informed the two stage action plan included in the draft Churchill and District Strategic Plan 2014 – 2018.

Following an extensive public consultation period, including advertising in the local newspapers, advertising at Council service centres in the four major towns and a significant email campaign, only one submission was received in relation to the draft Strategic plan.

The following table notes this submission and the officers response, which was developed following consultation with the Churchill and District Hub Advisory Committee:

## ORDINARY COUNCIL MEETING MINUTES 13 APRIL 2015 (CM459)

Submission received from:	Details of submission	Officer's response	Change to report
Ms Julia Leonard Coordinator Neighbourhood Centre	<p>'Following discussion with the CNC Board can you please note their comments on the Churchill Hub Strategic Plan.</p> <p>Under planning for the future, common meeting space it currently says: 'The CNC regularly uses common meeting space within the Hub. This presents some constraint for other groups ability to relocate to the hub or access space on an ad hoc basis.'</p> <p>The CNC Board feels that this is not true, as the common meeting space includes the foyer, meeting room &amp; kitchen. Currently we only have programs running in the kitchen once or twice a week (although we would like to do more). The community garden group meets in the foyer once a week and our classes have tea and coffee there. And we only very occasionally use the meeting room, no more than any other tenants.'</p>	<p>Update as follows;</p> <p>'While the use of common meeting spaces has presented some challenged in the past, this is managed effectively at this point in time, however will require ongoing monitoring and input from the users group members in order to be maintained'</p>	Y

### **OPTIONS**

Council has the following options;

1. Endorse the Churchill and District Community Hub Strategic Plan 2014 – 2018
2. Request additional information in relation to the Churchill and District Hub Strategic Plan 2014 – 2018
3. Request a further community consultation period in relation to the Churchill and District Community Hub Strategic Plan 2014 – 2018

### **CONCLUSION**

The actions in the draft plan have been developed with consideration having been given to the feedback from both community and the current users groups of the Churchill and District Hub.

The Churchill Hub Advisory Committee has worked to ensure that they have considered this feedback while allowing for further investigation, appropriate business planning and ongoing assessment.

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)**

The Churchill and District Community Hub Advisory Committee have prepared the draft Strategic Plan as required at section 4 of the Terms of reference prepared and approved by Council in July 2012.

This plan is now presented to Council for endorsement.

**SUPPORTING DOCUMENTS**

Churchill and District Community Hub Strategic Plan 2014 – 2018

Churchill and District Community Hub Advisory Committee Terms of reference

**Attachments**

1. Churchill and District Hub four year plan final draft 30 March 2015
2. Current Churchill Hub Terms of Reference advisory committee approved July 2012

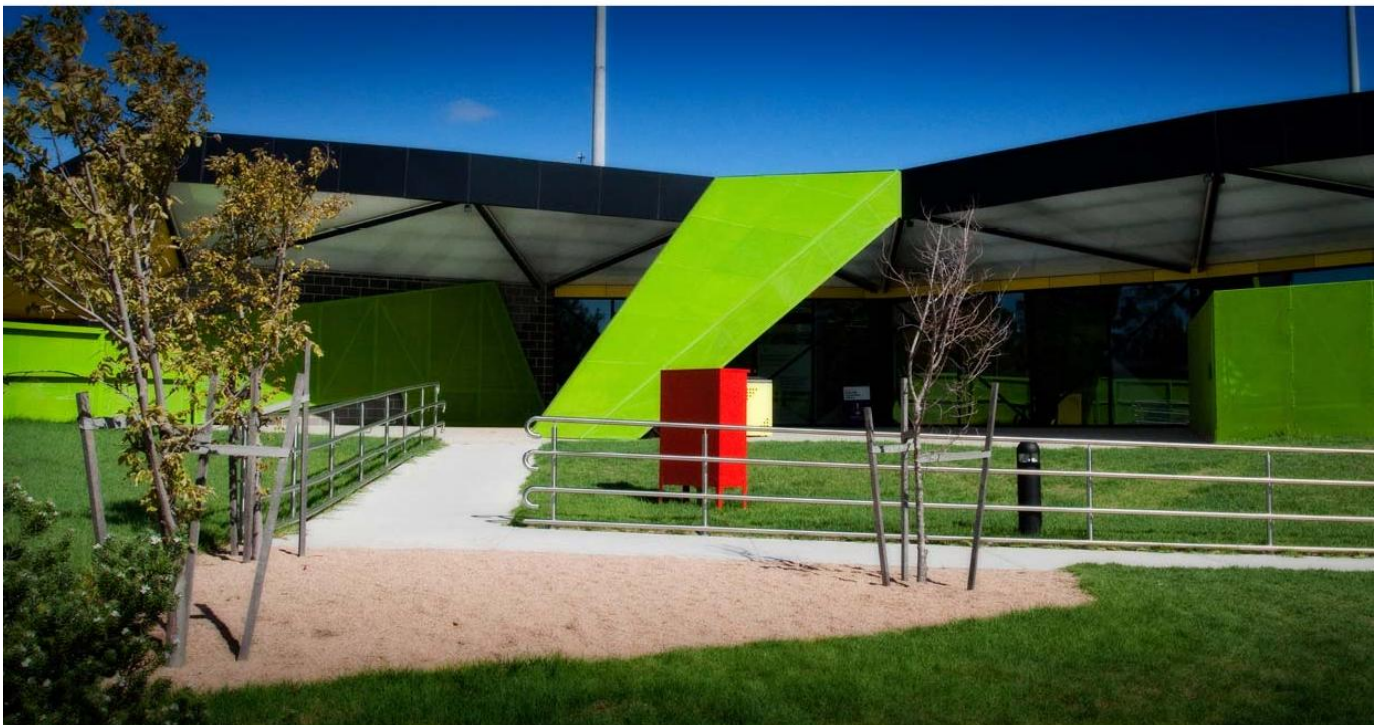
## **15.2**

### **Churchill and District Community Hub Strategic plan 2014 - 2018**

- 1 Churchill and District Hub four year plan final draft 30  
March 2015 ..... 715**
- 2 Current Churchill Hub Terms of Reference advisory  
committee approved July 2012..... 725**



# Churchill and District Community Hub Strategic Plan 2014 - 2018



Service Delivery



**Mission: A facility promoting the Community to work together**

Planning for the future



The Churchill and District Community Hub, servicing a large area of southern Latrobe City, brings together in one facility: a Latrobe City Service Centre and Library; Churchill Neighbourhood Centre; Churchill Preschool, Childcare centre, Maternal and Child Health; Men's Shed; studio work rooms; and community meeting rooms.

Community



The HUB aims to provide a venue that:

- Brings individual members of community, groups, organisations and agencies together in an atmosphere of support to address and meet community needs.
- Allows all to work cooperatively together; where the community can enhance service delivery; plan effectively for the future and make a positive contribution to community capacity building.
- Will advocate for programs that empower the community to take an active role in planning, understanding and enhancing their future.
- Promotes the development of community capacity building by planning effectively for the future of the Hub.



## Preamble

The Churchill and District Community Hub opened as a community facility on 1 May 2009. The underlying concept in developing the Churchill and District Community Hub was to provide a venue that brings individual members of the community, groups, organisations and agencies together in an atmosphere of support, to systematically address and meet community needs.

The development of the Churchill and District Community Hub was a significant collaboration between many local partners, local, state and federal government departments working together to create an outstanding facility for the community.

Today, the Churchill and District Community Hub is a striking symbol of what can be achieved through the establishment of a shared vision, and the energy that can be harnessed through respect, cooperation and collaborative partnerships.

A key feature of the Churchill and District Community Hub is an engaged community, both during design and construction and subsequent management of the facility through a Board that provides overall policy and strategic direction and an Operating Committee that provides day to day coordination and oversight of the facility.

The board was established as a Committee of Council on 18 February 2008, on 16 July 2012 the Council approved a recommendation for the board to rescind its status as a Committee of Council and become an advisory committee. New terms of reference for the advisory committee were adopted.

These ToR indicate the advisory committee shall assist and advise Council on the development of community capacity building by planning effectively for the future of the facility; taking into consideration diverse and changing community needs.

The Churchill and District Community Hub Advisory Committee includes Rob Whelan, Margaret Guthrie, Alan Scarlett, Mike Answerth and is chaired by South Ward Councillor, Darrell White.

The Advisory Committee participated in a Strategic Planning workshop for the Churchill Hub in September 2012.

User groups and the wider Churchill community were surveyed in 2013 to assess if the current services provided are meeting their needs and expectations and to identify any areas for improvement.

This engagement identified the Advisory Committee's, user groups and wider Churchill community aspirations for the Churchill and District Community Hub and informed the two stage action plan included in the Churchill and District Community Hub Strategic Plan 2014-2018.

## Four Year Strategic Plan

The four year strategic plan is a plan that guides the direction and priorities for the Churchill and District Community Hub over the next four years. The plan has been broken down to three main areas; Service Delivery, Planning for the Future and Community. These three areas are heavily integrated, all relying on each other to achieve outcomes from the facility and ultimately the Community.



### Service Delivery

Service area: Churchill and outlying towns including; Boolarra, Yinnar, Jeeralang and Hazelwood.

Latrobe City Council provides access to our public libraries; information on council services; records and processes customer requests and payments at the Hub through an integrated service model for residents, visitors and businesses.

The Childcare Centre (Pooh Corner) provides long day care and occasional care for Children aged 6 weeks to 6 years. The friendly staff are holders of either a Diploma or Cert. 3 in Children's Services qualification and provide a stimulating and caring environment for children and their families.

The Churchill Preschool offers a funded kindergarten program for children to attend the year prior to commencing primary school. The Preschool provides children with a program

developed by a Qualified Early Education Teacher taking into account the individual needs and interests of each child.

The Churchill Maternal and Child Health Service operate from the Hub 2 days per week. Delivered by a Qualified Maternal and Child Health nurse, the program provides families with a minimum of 10 key visits in the first 5 years of life offering regular checks on the child's health, development and growth, advice on women's health issues and information and advice about a range of parenting issues.

The Churchill Neighbourhood Centre offers affordable adult education and other learning services to the community it serves. Some of the courses provided include;

- adult literacy and numeracy,
- arts & craft,
- creative writing and
- computer lessons.

The Neighbourhood Centre also supports and coordinates the Community Workshop on the lower level of the Churchill Town Hall building. This is the location for the Men's Shed project which provides men with an opportunity to participate in activities to learn new skills enhance current skills and participate within their local community.

There are also meeting spaces and a community kitchen included in the hub which is available for visiting services and the community to use.

### **Commitments**

- To encourage a diverse range of programs to meet the communities needs.
- To play a broader role in integrating services that are not located within the Hub – e.g. Glendonald Preschool; Latrobe Community Health Service – to develop community capacity.
- To continue to deliver the services currently delivered from the Hub.

### **Actions**

- To engage with the community to identify gaps/needs – e.g. Community Survey.
- To invite the Teacher of Glendonald Preschool to participate in the User Group meetings.

### **Measuring Outcomes and Success**

- Programs offered from the Hub reflect the needs identified by the community.
- Programs offered are at full capacity.
- Conduct User Satisfaction Survey and analyse results for positive outcomes.

## Planning for the future

The population of Churchill and district was approximately 11,000 in 2011. Population is predicted to increase by approximately 250 people by the year 2018.

A number of new residential developments have occurred in the past 5 years, with other areas flagged for future development. This may have an impact on the predicted population figures and demand for services.

### Childcare and Preschool Services

Current participation rates in both the Childcare and Preschool Services are at full capacity so there is no scope to cater for any increased demand from population increase.

### Library

Shelf and floor space does not allow for expansion of or other programs.

### Churchill Neighbourhood Centre (CNC)

Existing programs require some level of dedicated space, e.g. Computer laboratory, Quilting, Men's Shed. This prevents expansion into other programs within the existing floor space or bookings. The only capacity for expansion is to the upper level of the Town Hall, currently managed by Latrobe City Performing Arts.

### Common Meeting Space

While the use of common meeting spaces has presented some challenges in the past, this is managed effectively at this point in time, however will require ongoing monitoring and input from the users group members in order to be maintained.

### Maternal & Child Health

This program, offered two days per week, has capacity to expand within existing dedicated space. There is capacity for this consulting room to be used for other like services.

The Hub will have the capacity to service the needs of a broad range of community groups, not just existing users.

### Possible Expansion

There is capacity to expand the Hub building eastwards. This would allow growth for either the Pre School and/or Child Care only. Car parking capacity would need to undertake assessment to cope with this expansion in enrolments.

The only capacity for expansion within the Hub for other programs is the upper level of the Town Hall, currently managed by Latrobe City Performing Arts.

This space may provide opportunities for other activities if bookings of the Town Hall and the activities at the Hub could be coordinated.

The booking of spaces could be improved to further meet community needs. A whole of service consultation could occur to ensure the best outcome.



### Commitments

- To advocate for government funding to plan for the expansion of the Early Years area of the Hub.
- To ensure all areas of the Hub are utilised to their full potential addressing the needs of the community.
- To ensure the building and Town Hall are efficient in terms of utilisation of space, energy use and operating costs.

### Actions

- Survey needs of current users of Town Hall and the Hub and match with possible alternate spaces in Churchill.
- Ascertain if Latrobe City is prepared to re-assign management of the Town Hall from Performing Arts to the Hub. Investigate if the Hub has the capacity to manage the Town Hall. Investigate who could best perform this function e.g. Service Centre staff or Neighbourhood Centre staff.

### Measuring outcomes and Success

- Programs have expanded, participation in programs is increasing/at capacity
- Extended hours of operations e.g. weekend activities
- Future Community Surveys indicate fewer 'gaps/needs' in programs offered
- Generating positive results in User Satisfaction Surveys
- Well-promoted within the Churchill and district community

## Community

The Churchill community is a diverse community made up of a mix of university students, families, couples and single people. Churchill has a high percentage of single parent families compared to the State average and also a higher percentage of people aged between 20 – 24 years.

The Hub was developed to provide the community with a central 'one stop shop' that would become the 'heart of the town'. Its aim was to provide an integrated range of services to meet the diverse needs of the community. Since its establishment in 2008 Churchill's town centre has changed significantly. The Hub is centrally located between a vibrant commercial centre and leisure and education precincts. The Hub's facilities and services need to adapt to these changing circumstances and meet compliance and best practice standards.

### Commitments

- To work with the community to ensure the Hub and/or other agencies meet their needs.

### Actions

- Promotion and awareness of Hub services and programs occurs.
- Coordinate programs provided with those of other agencies at other venues and identify best practice/ location.

### Measuring outcomes and Success

- Increased patronage of programs offered from Hub





## Hub Action Plan Summary

### Stage 1

Action	Who	Time frame
Engage with the community to identify gaps/needs (Community Survey)	Hub Advisory Committee	September 2014 September 2016 September 2018
Invite the teacher from Glendonald Park Preschool to participate in user group meetings	LCC Line Management	February 2014
Collect and collate data re: programs offered, capacity and attendance	LCC Line Management & User group members	September 2014
Hub facilities are maintained at a high standard to enable best practice for clients and user groups	LCC Line Management & Hub Advisory Committee	Dec 2014 Ongoing

### Stage 2

Action	Who	Time frame
Match needs identified in survey with possible alternate spaces and agencies in Churchill	LCC Line Management & Hub Advisory Committee	December 2014
Survey needs of current users of Town Hall and the Hub and match with possible alternate spaces in Churchill.  Ascertain if Latrobe City is prepared to re-assign management of the Town Hall from Performing Arts to the Hub. Investigate which group has the capacity to manage the space.	LCC Line Management & Hub Advisory Committee	December 2014
Explore plans and funding options for future expansion (parking, preschool, childcare, meeting spaces)	LCC Line Management & Hub Advisory Committee	October 2014 October 2015 October 2017
Promote awareness of Hub services and	LCC Line Management &	Ongoing

programs (via user groups & Council media)	Hub Advisory Committee	
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UNCONFIDENTIAL

# Churchill & District Community Hub Advisory Committee

*Terms of Reference prepared and approved July 2012*







## CHURCHILL & DISTRICT COMMUNITY HUB ADVISORY COMMITTEE TERMS OF REFERENCE

### 1. ROLE

The underlying concept in developing the Churchill and District Community Hub is to provide a venue that brings individual members of the community, groups, organisations and agencies together in an atmosphere of support to systematically address and meet community needs.

By working cooperatively together, all sectors of the community can enhance service delivery, better target resource allocation, plan effectively for the future and make a positive contribution to community capacity building, an essential element in addressing economic and social development at a community level.

The Community Hub will be committed to enhancing understanding between divergent age and socio-economic groups, empowering the community to take an active role in planning, understanding and enhancing their future.

The Advisory Committee shall assist and advise Council on the development of community capacity building by planning effectively for the future of the facility; taking into consideration diverse and changing community needs.

### 2. COMPOSITION

(a) The Advisory Committee shall consist of between five and seven members, comprising:-

- (i) A Latrobe City Councillor;
- (ii) The Latrobe City Chief Executive Officer or Delegate;
- (iii) Individuals possessing skills and experience which will make a material contribution to the management and development of the Hub.

(b) At a meeting held in November of each year, or at such time as a casual vacancy or absence may arise, the Advisory Committee shall appoint from the members a:-

- Chair
- Deputy Chair \*

\* The position of Deputy Chair shall ordinarily be filled by the Chief Executive Officer or delegate.



The term for the Advisory Committee shall be from 6 March 2012 to 5 March 2015. For reporting purposes the anniversary date will be 1 November of each year.

In November previous to the March for renewal of the Churchill and District Community Hub Advisory Committee positions, expressions of interest for new Advisory Committee members shall be advertised thus allowing endorsement of new Advisory Committee members prior to the end of term of the current Advisory Committee in March. Council appointment shall ideally occur in February to allow a smooth transition of positions.

- (c) The Advisory Committee shall convene an Operational Committee representing Churchill and District I Community Hub users and tenants; members of the Operational Committee shall be appointed by each user or tenant in accordance with the provisions contained in each member's constitution or terms of association. No member shall be eligible to represent more than one user or tenant simultaneously. Each Operational Committee member may appoint a proxy should the appointed member not be available to attend. This will assist the Advisory Committee to make recommendations to Council regarding the use of the Churchill Hub Facility.
- (d) Upon a member of the Operational Committee resigning, the user or tenant which that member represented shall provide the Advisory Committee with the name of the person filling such a vacancy.
- (e) The Advisory Committee can co-opt members to the Committee who have specialist expertise.
- (f) Co-opted members shall not constitute more than fifty percent of the Advisory Committee.
- (g) At Council's discretion, each Advisory Committee member who is not a member or Councillor of the Council shall be appointed for a period of three years. All appointments must be approved by Council prior to membership.

### 3. POWERS

The *Advisory Committee* shall have the power to:-

- (a) Do such lawful acts, deeds and things as are incidental or conducive to the fulfillment of the Advisory Committee's function herewith mentioned.
- (b) Advise Council of policies and rules for use of the Churchill and District Community Hub by members of the public and user groups. Such rules and policies will not be inconsistent with any rules or policies of Council.
- (c) Advise Council on the development non-operational parts of the Churchill and District Community Hub for compatible purposes with the consent of Council.



- (d) Recommend to Council the creation of positions and be represented in any selection process for the appointment of staff as may be required to ensure the efficient management and operation of the Churchill and District Community Hub; Council will determine the terms and conditions of any staff appointment/s.
- (e) The Advisory Committee, in the first twelve months of its final year of appointment, shall review its terms of reference and make any recommendations for change to Council.
- (f) Council reserves to itself the right to issue directions to, or to restrict, the powers of the Advisory Committee or to prohibit the exercise thereof and to disband the Advisory Committee at any time and to resume control of the facility, should it be deemed necessary from any cause to do so.
- (g) Should the Advisory Committee consider that any such direction or restriction of the Advisory Committee's powers by Council may be detrimental to the role of the Hub , the Advisory Committee may by notice in writing request that Council review its direction or restriction.

#### 4. DUTIES

The Advisory Committee shall:

- (a) Prepare for approval by Council a four year strategic plan on the future of the Churchill Hub
- (b) Submit annual reports to Council on the activities of the Advisory Committee and the Churchill Hub plus any other significant matters which the Advisory Committee considers should be brought to Council's attention.
- (c) Recommend policies to Council for advertisements, notices, placards, bills or hoardings to be displayed within the facility and reserves the right to remove or refuse any request, advertisement, notice, placard, bill or hoarding.
- (d) Make recommendations to Council to participate in and undertake any other activities associated with the Churchill and District Community Hub.
- (e) In conjunction with Council Officers, undertake an assessment of potential risks to the public and/or Advisory Committee members apparent at the Churchill and District Community Hub at least once per year and report to Council any risks assessed as unsatisfactory with a recommendation to remove or eliminate the assessed risks.
- (f) Submit to Council on an ongoing basis minutes of meetings and associated reports.



## 5. CONDUCT OF MEETINGS

The Advisory Committee shall hold and conduct meetings in accordance with the following provisions:-

- (a) The Chair shall preside and in the Chair's temporary absence the Advisory Committee shall appoint an acting Chair to fulfill the duties of the position.
- (b) The Advisory Committee shall meet as and when required but at no time will there be a lapse of more than four months between Ordinary meetings.
- (c) The Advisory Committee may also convene Extraordinary meetings, which may occur whenever the Advisory Committee thinks fit, to consider urgent items.
- (d) A Quorum for the meeting will comprise a simple majority of the members eligible to attend.
- (e) Advisory Committee meetings must be open to the public. Meetings will be listed on the Latrobe City website. Minutes of the agenda will be made available on the Latrobe City website fourteen days after the meeting date.
- (g) Advisory Committee meetings are open to members of the public however the Chair of the meeting may declare portions of the meeting confidential if it is necessary to do so.
- (h) The Secretary of the Advisory Committee must advise the Advisory Committee and the public of the dates of forthcoming meetings no less than seven (7) days prior to the meeting except in the case of an Extraordinary General Meeting.
- (i) The Secretary of the Advisory Committee must arrange for minutes of each meeting of the Advisory Committee to be kept and must submit the minutes of the Advisory Committee meeting to the next meeting of the Advisory Committee for confirmation; if the minutes are confirmed the Chair at the meeting must sign the minutes and certify that they have been confirmed. Minutes and associated papers of all meetings will be submitted to Council.
- (j) If a member of the Advisory Committee has a direct or indirect pecuniary or personal interest (conflict of interest) in any matter to be considered or discussed at a meeting of the Advisory Committee, the member of the Advisory Committee must:-
  - (i) If he or she intends to be present at the meeting, disclose the nature of the interest immediately before the consideration or discussion.
  - (ii) Notwithstanding the provisions above of clause 5(j(i)), the Advisory Committee may require a member who has a personal or pecuniary interest to





absent themselves from any discussion about the matter in which they have the interest.

- (k) Only recommendations which have been properly moved, seconded and which have received a majority of affirmative votes at a properly constituted Advisory Committee meeting shall be recognised as recommendations of the Advisory Committee.
- (l) In the event that there is an equality of votes for and against a motion, the Chair shall have a casting vote.

#### 8. ADMINISTRATION

Latrobe City Council shall provide for the Committee a Secretariat who shall receive and distribute communications to the Committee, arrange meeting venues and prepare and distribute meeting agendas.

# CORPORATE SERVICES

**16. CORPORATE SERVICES**

Nil reports

# MEETING CLOSED TO THE PUBLIC

## 17. MEETING CLOSED TO THE PUBLIC

Section 89(2) of the Local Government Act 1989 enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

### RECOMMENDATION

**That the Ordinary Meeting of Council closes this meeting to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the Local Government Act (LGA) 1989 for the reasons indicated:**

#### 17.1 ADOPTION OF MINUTES

**Agenda item 17.1 *Adoption of Minutes* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)**

#### 17.2 CONFIDENTIAL ITEMS

**Agenda item 17.2 *Confidential Items* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)**

#### 17.3 ASSEMBLY OF COUNCILLORS

**Agenda item 17.3 *Assembly of Councillors* is designated as confidential as it relates to a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)**

#### 17.4 LCC-262 PROVISION OF BANKING AND BILL PAYMENT SERVICES

**Agenda item 17.4 *LCC-262 PROVISION OF BANKING AND BILL PAYMENT SERVICES* is designated as confidential as it relates to contractual matters (s89 2d)**

**ORDINARY COUNCIL MEETING MINUTES  
13 APRIL 2015 (CM459)****17.5 LCC-264 RECONSTRUCTION OF PURVIS ROAD AT YALLOURN NORTH**

Agenda item 17.5 *LCC-264 RECONSTRUCTION OF PURVIS ROAD AT YALLOURN NORTH* is designated as confidential as it relates to contractual matters (s89 2d)

**17.6 HAZELWOOD PONDAGE CARAVAN PARK & WATERWAY LEASE**

Agenda item 17.6 *Hazelwood Pondage Caravan Park & Waterway Lease* is designated as confidential as it relates to contractual matters (s89 2d)

**Moved:** Cr Gibson  
**Seconded:** Cr Rossiter

**That the Recommendation be adopted.**

**CARRIED UNANIMOUSLY**

**The Meeting closed to the public at 08:51pm and adjourned for five minutes.**

**The Meeting recommenced at 8:56pm in closed to the public.**