



# LATROBE CITY COUNCIL

## MINUTES FOR THE ORDINARY COUNCIL

HELD IN NAMBUR WARIGA MEETING ROOM  
CORPORATE HEADQUARTERS, MORWELL  
AT 6.00 PM ON  
07 DECEMBER 2015

CM475

**PRESENT:**

<b>Councillors:</b>	Cr Michael Rossiter,	East Ward
	Mayor	
	Cr Sharon Gibson, Deputy	West Ward
	Mayor	
	Cr Graeme Middlemiss	Central Ward
	Cr Christine Sindt	Central Ward
	Cr Dale Harriman	East Ward
	Cr Sandy Kam	East Ward
	Cr Kellie O'Callaghan	East Ward
	Cr Darrell White	South Ward
	Cr Peter Gibbons	West Ward
<b>Officers:</b>	Gary Van Driel	Chief Executive Officer
	Sara Rhodes-Ward	General Manager Community Services
	Phil Stone	General Manager City Development
	Sarah Cumming	General Manager Corporate Services
	Steven Piasente	General Manager Infrastructure & Recreation
	Peter Mangan	Acting Manager Governance
	Amy Phillips	Coordinator Governance
	Kylie Stockdale	Council Operations Administration Officer

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**ORDINARY COUNCIL MEETING MINUTES  
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The Mayor read the opening prayer and welcomed all present.

**2. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND**

The Mayor acknowledged the traditional owners of the land on which we meet and paid respect to their Elders past and present.

Acknowledgements were also offered for any other Aboriginal people / Elders present.

**3. APOLOGIES AND LEAVE OF ABSENCE**

Nil

**4. DECLARATION OF CONFLICT OF INTEREST**

Cr Harriman declared an indirect interest under Section 78A of *The Local Government Act* 1989 in respect to Item 15.1 Country Football and Netball Program.

**5. ADOPTION OF MINUTES****MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr White

That the minutes of the Ordinary Council Meeting held on 16 November 2015 be confirmed.

**CARRIED UNANIMOUSLY**

**6. ACKNOWLEDGEMENTS**

**6.1 ACKNOWLEDGEMENT OF AFL DRAFTEES**

**MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr White

**That Council writes to the following AFL 2015 draftees from Gippsland Power to congratulate and acknowledge their achievements in the AFL national and rookie drafts:**

**1. AFL National Draft**

- a. Sam Skinner – Newborough (drafted to Brisbane Lions Football Club)**
- b. Harry McKay – Warragul (drafted to Carlton Football Club)**
- c. Ben McKay – Warragul (drafted to North Melbourne Football Club)**

**2. AFL Rookie Draft**

- a. Tom Papley – Bunyip (drafted to the Sydney Swans)**
- b. Will Hams – Sale (re-drafted to Essendon Football Club)**

**CARRIED UNANIMOUSLY**

**7. PUBLIC QUESTION TIME****7.1 PUBLIC QUESTIONS**

Nil

**STANDING ORDERS SUSPENDED****MOTION**

**Moved:** Cr Gibson  
**Seconded:** Cr Sindt

**That Council suspends standing orders to hear speakers at this point in time.**

**CARRIED UNANIMOUSLY**

The standing orders were suspended at 6:12pm.

**7.2 PUBLIC SPEAKERS**

The following person spoke on an item on the agenda:

**9.1 2015/27 - Funding Allocation Request for Pedestrian Refuge  
High Street Moe**

- Ms Kathryn Bartlett

**STANDING ORDERS RESUMED****MOTION**

**Moved:** Cr Middlemiss  
**Seconded:** Cr Sindt

That Council resumes standing orders.

**CARRIED UNANIMOUSLY**

The standing orders were resumed at 6:20pm.

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

Council Meeting Date	Item	Resolution	Status Update
<b>City Development</b>			
06 May 2013  City Development	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 Council's review of Committees.  A further report will be presented to Council once the review is complete.
14 September 2015  City Development	Consideration of the Recommendations of the Panel Report for C87 <b>(continued below)</b>	That Council defer the Consideration of the recommendations of the Panel Report for C87 until the following have taken place: 1. That Council communicates with the Premier to organise a meeting with the EPA, interested Councillors, relevant Council Officers, Australian Paper and relevant stakeholders to discuss Urban Amenity Buffer solutions	1. A letter to the Premier was sent on 29 September 2015 requesting a meeting with key stakeholders. A response was received on 12 November 2015 advising that The Environmental Protection Authority's Regional Manager for Gippsland, Ms Emily Sanders is happy to attend any meetings that Council thinks useful or appropriate regarding this matter. A copy of the letter will be provided in the next Councillor Bulletin on 26 November 2015. Officers will contact the EPA to organise the meeting.
14 September 2015  City Development	Consideration of the Recommendations of the Panel Report for C87 <b>(continued)</b>	2. That Council requests the Department of Energy and Earth Resources to work through the issues to provide a solution to the Coal Residential Interface	Following a meeting between officers and Earth Resources Regulation Victoria on 29 September 2015 an update has been provided in the 19 November 2015 Councillor Bulletin.



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Council Meeting Date	Item	Resolution	Status Update
04 May 2015  City Development	Latrobe Heavy Industry Park and Gippsland Logistics Precinct - Project Update and Proposed Next Steps	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the progress made on the Gippsland Logistics Precinct and the Latrobe Heavy Industry Park projects.</li> <li>2. Reopens a Request for Proposal process aimed at securing private sector involvement in the Gippsland Logistics Precinct.</li> <li>3. Initiates specific discussions with the Victorian Government to identify opportunities to assist the Government in marketing the potential of the Latrobe Heavy Industry Park to the private sector.</li> </ol>	<p>Discussions have been held with the State Government regarding both these projects. The Heavy Industry Park was put to auction on 7 August 2015.</p> <p>The property was subsequently sold to an adjacent land owner in October.</p> <p>A Project Reference Group has been established for the GLP. 2 representatives from RDV and Council Officers are involved in the reference group. The second meeting of the PRG will take place on 22 September 2015. Task is to identify the future activities.</p> <p>Discussions continuing with renewal of Master Plan to encompass new development spur line ownership and potential new developments.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>06 July 2015</p> <p>City Development</p>	<p>Latrobe Performing Arts and Convention Centre Review <b>(continued below)</b></p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Adopt the Review of the Latrobe Performing Arts and Convention Centre Feasibility Study and Business Case June 2015.</li> <li>2. Consider the Latrobe Performing Arts and Convention Centre as two separate projects – Latrobe Performing Arts Centre and Latrobe City Convention Centre.</li> <li>3. In relation to the Latrobe Performing Arts Centre:               <ol style="list-style-type: none"> <li>a) Confirms the site of the existing Latrobe Performing Arts Centre in Traralgon as the site for the new Latrobe Performing Arts Centre.</li> <li>b) Undertake a detailed business case for the Latrobe Performing Arts Centre including a strong evidence base for the new facility and confirmation of key design elements.</li> <li>c) Engage a specialised theatre design consultant to confirm key design elements and complete a functional design brief to detail costs of the Latrobe Performing Arts Centre.</li> </ol> </li> </ol>	<p>Officers are currently preparing consultant’s project briefs for the full business case and concept designs.</p> <p>Officers met with representatives from other regional cities during the week of 7 September 2015 to discuss issues relevant to matters such as the project briefs etc.</p> <p>Following this, a theatre design will be engaged and a community representative working group established to assist in the development of the business case and concept design.</p> <p>It is expected that this will be complete by late 2015 at which time funding opportunities will be discussed with the State Government.</p> <p>A further report will be presented to Council at this time.</p> <p>In relation to the Latrobe City Convention Centre, a project brief will be prepared in the first half of 2015/16 to engage a consultant to undertake investigation to confirm potential demand for a dedicated convention centre. It is envisaged that this will be completed in the 2015/16 financial year.</p> <p>A further report will be presented to Council at this time and depending on the outcome of the demand analysis, a business case including establishment of a working group will be progressed.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
06 July 2015  City Development	Latrobe Performing Arts and Convention Centre Review <b>(continued)</b>	<ul style="list-style-type: none"> <li>d) Allocate \$200,000 from the 2015/16 Financial Year surplus to develop the Latrobe performing arts business case and functional concept design.</li> <li>e) Establish a representative community working group to steer the business case and design for the Latrobe Performing Arts Centre.</li> <li>f) Receive a report pending the outcome of the funding submission to the National Stronger Regions Fund – Round 2.</li> <li>g) Continue to liaise with the Victorian and Commonwealth governments in relation to potential funding opportunities.</li> </ul>	As above

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>06 July 2015</p> <p style="text-align: center;">City Development</p>	<p>Latrobe Performing Arts and Convention Centre Review <b>(continued)</b></p>	<p>4. In relation to the Latrobe City Convention Centre:</p> <ul style="list-style-type: none"> <li>a) Confirms Morwell as the location of the Latrobe City Convention Centre.</li> <li>b) Undertakes further detailed analysis and investigation to confirm potential demand for a dedicated convention centre in Latrobe City.</li> <li>c) Establish a representative community working group, to steer the business case and design for the Latrobe City Convention Centre.</li> <li>d) Allocate funding in future budgets to assist with the development of a business case and functional concept design for the Latrobe City Convention Centre.</li> <li>e) Investigate funding options for the Latrobe City Convention Centre.</li> </ul> <p><b>27 July 2015</b></p> <p>That Council:</p> <ul style="list-style-type: none"> <li>1. Receives a report outlining State Government funding opportunities and recommendations on applying for funding through National Stronger Regions Fund Round 3.</li> </ul>	<p>As above</p> <p>Tender for this project is currently being advertised until 19 November 2015. Currently working on Terms of Reference for a Project Working Group and considering recruitment for Committee Working Group and Project Control Group.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
26 October 2015  City Development	2015/20 - Traralgon Court House Status Update	That a report be brought back to Council on the status of the plans for the Traralgon Court House.  That the report includes:  (a) the options on how Council proposes to fund the plans; and  (b) the actions for 2015/16 and any actions proposed for 2016/17	Officers will prepare a report for Council
26 October 2015  City Development	Planning Scheme Amendment C93 - Ashworth Drive, Traralgon - Consideration of Submissions	That Council lay this matter on the table to the next Council meeting.	<b>Complete</b> At the 16 November 2015 Council meeting Council resolved to request the Minister for Planning to appoint a Planning Panel and advise submitters of the resolution. Letters will be sent to relevant parties by 23 November 2015.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
26 October 2015  City Development	Economic Development Engagement Plan	That Council: 1. Approves the 2015/16 Economic Development Engagement Plan to improve information sharing and active communication with Council staff, investors, government, business and industry leaders. 2. Receives quarterly reports during the 2015/16 financial year on the activities of the Economic Development Engagement Plan, and 3. Receives a report in September 2016 detailing the annual results of the Economic Development Engagement Plan.	A report will be presented to Council in September 2016
16 November 2015  City Development	Planning Permit Application 2015/133- Refurbishment of amenities block, construction of two new amenities blocks and new wastewater treatment system at Hazelwood Pondage Caravan Park	That Council: 1. Defer this matter to the first meeting in February 2016 2. Receive a further briefing from officers in relation to possible options that may be considered in relation to a new wastewater treatment system 3. Refer this matter to Latrobe City's Tourism Advisory Board for comment.	Council deferred this item to February 2016 Council Meeting.  Planning Department will be working with further actions required by Council prior to taking it to Council in February 2016.

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Council Meeting Date	Item	Resolution	Status Update
<b>Infrastructure &amp; Recreation</b>			
06 November 2013  Infrastructure & Recreation	Latrobe Regional Motorsport Complex	<ol style="list-style-type: none"> <li>1. 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>2. That Council officers meet with Energy Australia to discuss other possible sites for a motorsports complex on their land.</li> <li>3. 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>A briefing report and Council report will be presented in early 2016.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>23 March 2015</p> <p>Infrastructure &amp; Recreation</p>	<p>Riggall Road Local Area Traffic Management Options <b>(continued below)</b></p>	<p>That Council</p> <ul style="list-style-type: none"> <li>• Line mark 29 parallel parking bays in Argyle Street, Traralgon, within 100 metres of the subject site;</li> <li>• Reinstate the 'Local Traffic Only' and 'Load Limit' signage at each end of Riggall Road;</li> <li>• Install 'One Way Only' signage along Argyle Street opposite the exits of the subject site and Reece Plumbing, and paint a directional arrow on Argyle Street to reinforce the one way nature of the road;</li> <li>• Advise the community that it intends to implement a partial closure of the southern end of Riggall Road, Traralgon to prevent traffic from entering Riggall Road from Argyle Street.</li> <li>• Undertake a community information session for the residents of Riggall Road and the broader community in relation to the proposed closure.</li> </ul>	<p>Line marking, and signage completed in May/June 2015</p> <p>Notification of closure to occur in September 2015.</p> <p>Meeting occurred with landowners / residents on 16 September 2015. Concept of traffic islands to make traffic one way presented to community members.</p> <p>Submissions closed 5 October 2015, with five submissions in favour and zero against.</p> <p>Road Safety Audit completed in October 2015.</p> <p>Council voted to implement the partial road closure at the 26 October 2015 Council Meeting.</p> <p>Letters were sent to residents advising of the outcome on 18 November 2015.</p> <p>Officers currently procuring a contractor to complete the road closure works, with an aim to have them completed in December 2015, pending contractor availability.</p>



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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
23 March 2015  Infrastructure & Recreation	Riggall Road Local Area Traffic Management Options <b>(continued)</b>	<ul style="list-style-type: none"> <li>• Public Notice of the proposed partial closure and of the rights of the person to make a submission under Section 223 of the Local Government Act be given in the Latrobe Valley Express.</li> <li>• Council send separate notices advising of the proposed partial closure to all owners in the area as detailed on the attached map.</li> <li>• That a Road Safety Audit is undertaken in relation to the proposed partial closure.</li> </ul>	As above

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
04 May 2015 Infrastructure & Recreation	2015/05 Addressing Speed Concerns on Haigh St, Moe and Old Sale Rd Newborough <b>(continued below)</b>	<ol style="list-style-type: none"> <li>1. That Council Officers investigate and present a report to Council in relation to measures that could be put in place along Haigh St extension Moe, between Old Sale Road and Bennett Street, to deal with speeding motorists.</li> <li>2. That the Mayor writes to Vic Roads Regional Manager asking if the speed limit along the rural section of Old Sale Road Newborough, between the Haigh St corner and the beginning of the homes after the bridge on Old Sale Rd Newborough, could be unified to the one speed of 80 Km/h, due to the Housing Estate that was established along this section and the new extension of this Estate that has been placed on the market.</li> </ol>	<p>Currently under investigation. Traffic counts have recently been received. A report will come back to Council in September.</p> <p>Letter was sent to VicRoads regarding Old Sale Road on 14 May 2015.</p> <p>No response received to date (21 September 2015)</p> <p>Report is due to go to Council on 16 November 2015 regarding Haigh St.</p> <p>In regards to Old Sale Rd, no formal response has yet been received from VicRoads. However, Officers have been in discussion with VicRoads staff in regards to the speed limit along here as part of a separate initiative, and have received verbal support that this will be changed to 80 under that initiative. We're working on that change happening hopefully within a couple of months.</p>

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04 May 2015  Infrastructure & Recreation	2015/05 Addressing Speed Concerns on Haigh St, Moe and Old Sale Rd Newborough <b>(continued)</b>	As above	<p>A Report was presented at the 16 November 2015 Council Meeting regarding Haigh Street, with the following resolution:</p> <ul style="list-style-type: none"> <li>• <i>That Council write to Victoria Police, providing the most recent traffic counts along Haigh Street, Moe to them, and request increased patrols and enforcement of the speed limit where resources permit.</i></li> </ul> <p>Letter has been sent to Victoria Police on 19 November 2015 as per resolution.</p> <p>In regards to Old Sale Rd, no formal response has yet been received from VicRoads however, officers have had discussions with VicRoads staff in regards to the speed limit along Old Sale Road as part of a separate initiative; and have received verbal support that this road will be changed to 80 km per hour, likely to occur in late January / February 2016 as a range of their 80 km/h speed limit changes are finalised.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
04 May 2015 Infrastructure & Recreation	2015/06 - Preparation of Information to Support a Planning Scheme Amendment Regarding Burgan Infestation (continued below)	<p>That a report be prepared for Council on the quickest and most cost effective way of Council acquiring the necessary authority to authorise the removal of Burgan infestation.</p> <p>That this report be tabled at the Council Meeting of 15 June 2015</p> <p><b>11 June 2015</b> That Council</p> <ol style="list-style-type: none"> <li>1. Note this report; and</li> <li>2. That a further report be presented to Council no later than the 17 August 2015 Ordinary Council Meeting presenting the results of the further assessment, and providing details of costings and timeframes to implement a Planning Scheme amendment subject to the findings.</li> </ol> <p><b>17 August 2015</b> That Council note this report, and consider options for the removal of Burgan when a further report is presented to Council at or before the 16 November 2015 Council meeting.</p>	<p>Holding report presented to Council 17 August 2015.</p> <p>See below</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
	<p>2015/06 - Preparation of Information to Support a Planning Scheme Amendment Regarding Burgan Infestation <b>(continued)</b></p>	<p><b>17 August 2015</b></p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Requests officers to arrange a meeting with the Department of Environment, Land, Water and Planning and Councillors by October 2015;</li> <li>2. Requests officers to arrange a meeting with the Department of Environment, Land, Water and Planning with the impacted Reserve Committees, Victorian Farmers Federation representative and councillor delegates by October 2015.</li> </ol>	<p>Meetings were held with the Department of Environment, Land, Water &amp; Planning; the impacted Reserve Committees; the Victorian Farmers Federation; and councillor delegates. The general consensus on the way to move forward is as follows:</p> <ol style="list-style-type: none"> <li>1. Progress with the preparation of Property Vegetation Plans (PVPs) required for Crinigan Bushland Reserve &amp; Ollerton Avenue Bushland Reserve. Apply for planning permits to reduce Burgan cover.</li> <li>2. Do not pursue the option of a Planning Scheme Amendment as the costs are excessive and the policy that governs removal of native vegetation is under review anyway;</li> <li>3. Councillors contact the relevant Ministers and campaign for policy changes that will allow reduction of Burgan in these sorts of situations.</li> </ol> <p>A report will be presented to Council on 7 December 2015.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
25 October 2015  Infrastructure & Recreation	Petition Presented to Council in Regards to Raising the Temperature at Latrobe Leisure Moe Newborough (LLMN) One Day Per Week.	That Council:  1. Continues to heat the Latrobe Leisure Moe Newborough pool one day per week for the remainder of the 2015/16 financial year.  2. Requests a further report presented to council prior to the end of the financial year detailing the metrics of the extension to the heating of the pool for hydrotherapy.	A further report, detailing the results of the trial, including any financial implications and attendances will be provided following the end of the trial period in July 2016.
25 May 2015  Infrastructure & Recreation	Draft Tracks, Trails And Paths Strategy	That Council:  1. Releases the draft Tracks, Trails and Paths Strategy for a period of 6 weeks from Tuesday 26 May 2015 to Friday 7 July 2015.  2. Request a further report be presented to Council with the results of the community consultation process.	The Tracks Trails and Paths Strategy and Implementation plan will be presented to Council in March 2016.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
25 May 2015  Infrastructure & Recreation	Request to Air Condition Latrobe Leisure Stadium Facilities <b>(continued below)</b>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Considers allocating funding in the 2016/17 financial year for the installation of air handling systems at the following Latrobe Leisure facilities, Traralgon Sports Stadium, Latrobe Leisure Morwell, Latrobe Leisure Moe Newborough and Latrobe Leisure Churchill;</li> <li>2. Instructs Council Officers to undertake further investigation in relation to energy efficiency improvements, heat load reduction and air conditioning systems for the facilities;</li> <li>3. Identifies and allocates the funding for the investigations detailed in point 2 from savings from the 2014/15 budget;</li> <li>4. Request a report be presented to Council prior to the development of the 2016/17 budget detailing the results of the investigations detailed in point 3;</li> </ol>	<p>Quotes are currently being requested for investigation in relation to energy efficiency improvements, heat load reduction and air conditioning systems for the facilities.</p> <p>Quotes are currently being requested for the provision of temporary air handling units for the BVC Event in 2016. A further report will be presented to Council when this information has been obtained.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
25 May 2015 Infrastructure & Recreation	Request to Air Condition Latrobe Leisure Stadium Facilities <b>(continued)</b>	5. Instructs Council Officers to investigate the ability to hire, and the costs associated with, temporary air handling units for the BVC event in 2016;  6. Consider the costs of item 5 is as part of the mid year budget review; and  7. Advise Basketball Victoria Country of Councils' decision.	As above



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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
11 June 2015  Infrastructure & Recreation	Petition Requesting Pedestrian Crossing in Breed Street, Traralgon	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Lay the petition on the table to allow a traffic impact assessment to be completed for Breed Street Traralgon.</li> <li>2. Request a further report be presented to Council no later than the 14 September 2015 Ordinary Council Meeting presenting the results of the traffic impact assessment</li> <li>3. Notify the head petitioner about the Council decision.</li> </ol> <p><b>14 September 2015</b></p> <p>That Council request a further report detailing the traffic impact assessment and potential traffic management options be presented to Council no later than the 16 November 2015 Council meeting.</p>	<p>Investigation has commenced with traffic counts completed.</p> <p>A report was presented to Council 16 November 2015 with the following resolution:</p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> <li>1. <i>Remove the inappropriate pram crossings at unsafe crossing locations along Breed Street, Traralgon. This can be incorporated within existing footpath budgets;</i></li> <li>2. <i>Consider allocating funding in the 2016/17 budget for the installation of kerb outstands at the crossing point south of Henry Street and at the top of the crest on Breed Street between Henry Street and Hotham Street;</i></li> <li>3. <i>Consider allocating funding in the 2016/17 budget for the design and SIDRA analysis of pedestrian operated signals at the top of the crest;</i></li> <li>4. <i>Prior to finalising the design, and allocating funding for the delivery, of the crossing identified in point 3 assess the impact of the crossing in relation to strategic transport analysis for Traralgon, including the</i> <ol style="list-style-type: none"> <li>a. <i>The infrastructure needs assessment,</i></li> <li>b. <i>The proposed east-west link and</i></li> <li>c. <i>The Traralgon bypass</i></li> </ol> </li> <li>5. <i>Write to the Head Petitioner advising of Council's decision.</i></li> </ol>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
11 June 2015 Infrastructure & Recreation	Catterick Crescent Reserve Master Plan	That Council defers the decision on this matter until a report can be returned detailing user group numbers and increases or decreases of said numbers over a six year period.	A report will be presented to Council in March 2016.
11 June 2015 Community Infrastructure & Recreation	Maryvale Reserve Master Plan	That Council defers the decision on this matter until a report can be returned detailing user group numbers and increases or decreases of said numbers over a six year period.	A report will be presented to Council in March 2016.
27 July 2015 Infrastructure & Recreation	2015/15 - Request for Investigation into Traralgon Netball Court Resurfacing	That Council engage an Independent investigator to investigate the Traralgon Netball Court resurfacing tender process including; <ol style="list-style-type: none"> <li>1. The materials used</li> <li>2. The written Tender brief</li> <li>3. The overseeing process utilised and reporting details</li> <li>4. The report with all of these details be brought back to Open Council as soon as practical.</li> </ol>	Council has not as yet engaged an independent investigator to investigate the Traralgon Netball Court resurfacing tender process. Council Officers are currently focused on finalising the remediation process with the Contractors who undertook the works.  A project brief is currently being developed and quotes will be sought for the investigation during October. The investigation report will be provided to the Council Meeting in February 2016.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p style="text-align: center;">14 September 2015</p> <p>Infrastructure &amp; Recreation</p>	<p>Petition in relation to the completion of the Traralgon West Sporting Complex</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Agrees to lay the petition on the table requesting Council provide assistance to complete the first floor of the Traralgon West Sporting Pavilion.</li> <li>2. Request a report be presented to the 26 October 2015 Ordinary Council meeting providing Council with information in relation to the petition.</li> <li>3. Notify the head petitioner about the Council decision in relation to the petition.</li> <li>4. That a meeting is arranged between Officers, Councillors and user groups to discuss the petition while the petition lays on the table</li> </ol>	<p>User Group meeting was held on 8 October 2015 and a further report detailing the outcomes of this meeting at the February 2016 Council Meeting.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
05 October 2015 Infrastructure & Recreation	Waste Management Strategy 2010-2017 Review	That Council: 1. Notes the review of the Waste Management Strategy 2010 – 2017. 2. Requests a further report to Council in relation to: <ul style="list-style-type: none"> <li>• The Kitchen Organics trial in Churchill that was undertaken by Council in Latrobe City in 2012</li> <li>• The future provision of kerbside hard waste services in Latrobe City</li> </ul>	The report for Hard Waste Review will be tabled at a 2016 meeting. The report for the Kitchen Organics Trial is scheduled for 07 December 2015 Council meeting.
05 October 2015 Infrastructure & Recreation	Draft Play Space Strategy – Release for Public Exhibition	That Council: 1. Releases the draft Play Space Strategy for a period of 8 weeks from Tuesday 06 October 2015 to Friday 27 November 2015. 2. Request a further report be presented to Council with the results of the community consultation process.	The draft Play Space Strategy is now on public exhibition until 27 November 2015. The draft Play Space Strategy can be found on Latrobe City Council's "Have a Say" webpage. Notices have been placed on the Council Noticeboard and an email has been sent to all identified stakeholders. Council officers will be present at the Children's Expo in late October to further engage with the community.  A further report presenting submissions will be presented to Council in March 2016.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>05 October 2015</p> <p>Infrastructure &amp; Recreation</p>	<p>Tarwin Street Project Proposed Road Closure</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Publish a Public Notice in the Latrobe Valley Express on 8 October 2015, advising the community that it intends to close the northbound lane of Tarwin Street, Morwell, at the median break to prevent traffic from exiting to Commercial Road, and of their rights to make a submission under section 223 of the Local Government Act 1989;</li> <li>2. Write to VicRoads to notify them of Council's intention to part close Tarwin Street, and to invite their feedback on the matter;</li> <li>3. Consider any submissions received in relation to the proposed part closure of Tarwin Street as part of a final decision on the part closure of Tarwin Street at the Ordinary Council Meeting to be held on Monday 16 November 2015.</li> </ol>	<p>A public notice has been placed in the Latrobe Valley Express.</p> <p>Officers have written to VicRoads to notify them of Council's decision and to seek their feedback on the proposed half street closure.</p> <p>Public submissions closed on 4 November 2015. No submissions were received during the submission period, and no response was received from VicRoads.</p> <p>Report has been written for 16 November 2015 Council Meeting for Council's final consideration to close Tarwin St for the duration of this project.</p> <p>A report was presented at the 16 November 2015 with the following resolution:</p> <ul style="list-style-type: none"> <li>• <i>That Council exercise its powers under clause 10(1) of Schedule 11 of the Local Government Act 1989 to temporarily close the northbound lane of Tarwin Street, Morwell, from Commercial Road for a distance of approximately 30 metres south of Commercial Road for a six month period.</i></li> </ul>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
26 October 2015	2015/19 - Modular Design of Female Friendly Change Facilities	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Establish a working group consisting of a representative from the following organisations to develop a modular design that can be easily implemented to provide female change facilities <ul style="list-style-type: none"> <li>• Three representatives from local community sporting clubs</li> <li>• Two reps from local sporting associations</li> <li>• Three nominated Councillors</li> <li>• A suitably experienced design consultant</li> </ul> </li> </ol> <p>The final design be brought back to Council by March 2016.</p>	<p>An update will be included in the Councillor Bulletin on 18 November 2015.</p> <p>An Expression of Interest process will be undertaken and report to Council to adopt the members of the working group.</p> <p>Information from Hume City Council is being obtained as they currently have portable female change facilities.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<b>Community Services</b>			
18 February 2013  Community Services	Affordable Housing Project – Our Future Our Place	<ol style="list-style-type: none"> <li>1. 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>2. 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>	Project review underway, almost at completion. Report will be presented to Council at the first OCM in February, 2016

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>09 February 2015</p> <p>Community Services</p>	<p>Family Day Care Feasibility</p>	<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>	<p>Draft report completed. Due to be presented at OCM Monday 7 December.</p>



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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<b>Corporate Services</b>			
<p>05 December 2011</p> <p>Corporate Services</p>	<p>Investigation into Mechanisms Restricting the sale of Hubert Osborne Park Traralgon</p>	<p>That a draft policy be prepared relating to Hubert Osborne Park and be presented to Council for consideration.</p> <p><b>26 October 2015</b> That Council release the draft policy for community consultation for at least 28 days, and a report be brought back to Council</p>	<p>Briefing occurred on 27 April 2015 prior to a report coming to Council</p> <p>A further briefing occurred on 10 August 2015.</p> <p>Policy was presented to Council for consideration on 26 October 2015.</p> <p>Council has advertised in the Express and on Council's website calling for public submissions into draft policy on Hubert Osborne Park.</p> <p>The advertisement commenced Monday 02 November 2015 and will run for 28 days.</p> <p>The public can either submit by post, email or on our website.</p> <p>A report will be presented to Council in 2016.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p style="text-align: center;">14 September 2015</p> <p>Corporate Services</p>	<p>Long Term Lease Renewal Agreement - Traralgon Greyhound Racing Club</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Having complied with sections 190 and 223 of the <i>Local Government Act 1989</i>:               <ol style="list-style-type: none"> <li>a. By giving public notice</li> <li>b. By considering submissions received</li> </ol> </li> <li>2. Resolves to enter into a 21 year lease agreement with the Traralgon Greyhound Racing Club for part of Glenview Park, 66-110 McNairn Road, Traralgon (subject land), and               <ol style="list-style-type: none"> <li>3. Resolves to consent to the Traralgon Greyhound Racing Club entering into a 21 year sub-lease with Telstra Corporation Limited for part of Glenview Park, 66-110 McNairn Road, Traralgon (subject land), and</li> <li>4. Requests that the agreement be brought back before Council for final ratification; and</li> </ol> </li> <li>5. Advises the Traralgon Greyhound Racing Club of its decision.</li> </ol>	<p>A report will be presented to the 7 December 2015 Council Meeting to finalise special terms and conditions</p> <p>The lease document will then be circulated to both the Moe Racing Club and DELWP for comment.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>23 March 2015</p> <p>Corporate Services</p>	<p>2015/02 - Notice of Motion - Grants Acquittal</p>	<p>That Council Officers conduct a review and prepare a report for Council detailing:</p> <ol style="list-style-type: none"> <li>1. The methods of acquittal currently used for all Council grants and other funds dispersed through Council to external entities or individuals on behalf of the State or Federal Government;</li> <li>2. Internal and external Legislation, Regulations and Policy Requirements around acquittal of such funds; and</li> <li>3. Council compliance obligations and best practice in regard to the acquittal of the above.</li> </ol>	<p>An internal committee has been convened to develop the information requested, as well as an internal audit being conducted on grant management which will inform the processes.</p> <p>The internal committee will meet once the results from the internal audit are returned in order to inform them for improvement of processes and for providing a report to Council on these matters.</p> <p>It is intended that this now be completed by February 2016 as the results from the internal audit have been delayed.</p>

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Council Meeting Date	Item	Resolution	Status Update
<p style="text-align: center;">14 September 2015</p> <p>Corporate Services</p>	<p>Long Term Lease Renewal Agreement - Moe Racing Club</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Having complied with sections 190 and 223 of the <i>Local Government Act 1989</i> and section 17D of the <i>Crown Land (Reserves) Act 1978</i>:               <ol style="list-style-type: none"> <li>a. By giving public notice</li> <li>b. By considering the submission from the Moe Racing Club                   <ol style="list-style-type: none"> <li>2. Resolves to enter into a 21 year lease agreement with the Moe Racing Club, for part of Joe Tabuteau Reserve, Moe (subject land), and</li> <li>3. Requests that the agreement be brought back before Council for final ratification; and</li> </ol> </li> </ol> </li> <li>4. Advises the Moe Racing Club of its decision.</li> </ol>	<p>A report will be presented to the 7 December 2015 Council Meeting to finalise special terms and conditions</p> <p>The lease document will then be circulated to both the Moe Racing Club and DELWP for comment.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>26 October 2015</p> <p>Corporate Services</p>	<p>Proposed Road Discontinuance - Craighburn Place, Traralgon East</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. In accordance with Schedule 10 Clause and section 223 of the Local Government Act 1989 (Act), authorise the commencement of the statutory procedures relating to Council's intention to discontinue and sell by private treaty part of Craighburn Place, Traralgon East, (subject land) by giving public notice and inviting written submissions on the proposal in the Latrobe Valley Express.</li> <li>2. Receives written submissions and hear submissions on the proposal to discontinue and transfer the subject land from persons who have made a written request to be heard in person or by a party representing them as specified in their submission in accordance with the Act, at its Ordinary Meeting of Council on Monday, 7 December 2015.</li> </ol>	<p>A public notice will be prepared inviting community consultation.</p> <p>A further report will be presented to Council on 07 December 2015.</p>

# NOTICES OF MOTION

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)****9. NOTICES OF MOTION****9.1 2015/27 - FUNDING ALLOCATION REQUEST FOR PEDESTRIAN  
REFUGE HIGH STREET MOE****Cr Sharon Gibson**

I, Cr Gibson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 7 December 2015:

**MOTION**

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

**That Council allocate funding to commence the design for the installation of a pedestrian refuge on High Street Moe south of Lloyd Street.**

**For:** Councillors Rossiter, White, O'Callaghan, Middlemiss, Kam, Harriman, Gibbons and Gibson

**Against:** Councillor Sindt

**CARRIED**

**Attachments**  
Nil

Signed



Cr Sharon Gibson  
20 November 2015

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**9.2 2015/28 - FEDERATION UNIVERSITY AUSTRALIA GIPPSLAND  
CAMPUS INITIATIVES WITH TAIZHOU, CHINA**

**Cr Peter Gibbons**

I, Cr Gibbons, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 7 December 2015:

**MOTION**

**Moved:** Cr Gibbons  
**Seconded:** Cr Harriman

**That Council:**

- 1. Supports the consideration of an allocation of Council resources to complement the Gippsland Campus of Federation University Australia proposed initiatives with Latrobe City's Sister City, Taizhou China.**
- 2. Requests a further report be brought back in 2016, in accordance with the Sister Cities Policy.**

**For:** Councillors Rossiter, White, Sindt, Middlemiss, Harriman, Gibbons and Gibson

**Against:** Councillors O'Callaghan and Kam

**CARRIED**

**MOTION**

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

That Council grants Cr Gibbons an extension of time.

**CARRIED UNANIMOUSLY**

**Attachments**  
Nil

Signed

Cr Peter Gibbons  
3 December 2015



# ITEMS REFERRED BY THE COUNCIL TO THIS MEETING FOR CONSIDERATION

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

**10.1 PROPOSED ROAD DISCONTINUANCE - CRAIGBURN PLACE,  
TRARALGON EAST**

**General Manager**

**Corporate Services**

**For Decision**

**PURPOSE**

Council has given public notice and invited written submissions concerning a proposal to discontinue part of Craighburn Place, Traralgon East.

Council can now determine whether to formally discontinue the section of road to allow the sale of the land to AGL Loy Yang Pty Ltd.

**EXECUTIVE SUMMARY**

Council has received a request from SMEC Australia, on behalf of AGL Loy Yang Pty Ltd, requesting that Council discontinue and transfer part of Craighburn Place, Traralgon East.

This road reserve was formerly part of the Hyland Highway however its classification as a state highway was rescinded by VicRoads in 2004 and it subsequently became a local unclassified road which is the responsibility of Council.

Having undertaken the statutory process by inviting public comment on the proposed road discontinuance in accordance with section 223 of the *Local Government Act 1989* Council may now determine whether it wishes to proceed with the proposed discontinuance and transfer of this section of Craighburn Place, Traralgon East.

**MOTION****Moved:** Cr Harriman**Seconded:** Cr Gibson**That Council:**

1. **Having complied with Section 206, Schedule 10 and Section 223 of the *Local Government Act 1989*:**
  - a. **By giving public notice;**
  - b. **By considering submissions that have been received;****forms the opinion that the section of road reserve is no longer required for public traffic and resolves to discontinue part of Craighburn Place, Traralgon East and publish a notice in the *Government Gazette*;**
2. **Resolves to transfer the land to AGL Loy Yang Pty Ltd by private treaty at a purchase price to be determined by an independent valuation;**
3. **Authorises the Chief Executive Officer to sign and seal a Transfer of Land document for the transfer of the section of discontinued road reserve to AGL Loy Yang Pty Ltd;**
4. **Advises AGL Loy Yang Pty Ltd of its decision.**

**CARRIED UNANIMOUSLY****(Note: A Notice of Rescission was received during the meeting.)****DECLARATION OF INTEREST**

No officer declared a conflict of 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 – To provide open, transparent and accountable governance.*

Legislation

*Local Government Act 1989*

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

“A Council may, in addition to any power given to it by Sections 43 and 44 of the *Planning and Environment Act 1987*-

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

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

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

*Policy – Council has not adopted a policy relating to the discontinuance of roads.*

**BACKGROUND**

Craigburn Place originally formed part of the Hyland Highway until its classification as a state highway was rescinded by VicRoads via a notice in the Victoria Government Gazette on 25 March 2004. This rescission made the road a local unclassified road and a municipal road under the care and management of Council.

Council currently maintains the first 660 meters of Craigburn Place from Shakespeare Street to an existing gate installed by AGL Loy Yang Pty Ltd and it is listed as a sealed access road on Council’s Public Road Register.

There are three properties that utilise Craigburn Place for access (50 Stuart Street, 60 Craigburn Place and 65 Craigburn Place) however this is before the existing gate and not from the section that would be discontinued and transferred.

All land beyond this point is owned by AGL Loy Yang Pty Ltd.

Council originally considered the request to discontinue this section of Craigburn Place at its meeting held on 26 October 2015 where it was resolved that Council:

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1. *In accordance with Schedule 10 Clause 3 and section 223 of the Local Government Act 1989 (Act), authorise the commencement of the statutory procedures relating to Council's intention to discontinue and sell by private treaty part of Craighburn Place, Traralgon East, (subject land) by giving public notice and inviting written submissions on the proposal in the Latrobe Valley Express.*
2. *Receives written submissions and hear submissions on the proposal to discontinue and transfer the subject land from persons who have made a written request to be heard in person or by a party representing them as specified in their submission in accordance with the Act, at its Ordinary Meeting of Council on Monday, 7 December 2015.*

### **KEY POINTS/ISSUES**

SMEC Australia, on behalf of AGL Loy Yang Pty Ltd, have requested that Council undertake the statutory process to discontinue and transfer part of Craighburn Place, Traralgon East, as shown in green on the attached plan. (Attachment One)

A similar application has also been made to the Department of Environment, Land, Water & Planning (DELWP) for the closure and purchase of the former Hyland Highway beyond this point at this is a government road.

The section of Craighburn Place, Traralgon East, that is proposed to be discontinued and transferred to AGL Loy Yang Pty Ltd is not maintained by Council and is not currently accessible to the public.

### **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**

Costs associated with this statutory process are officer's time and resources in the preparation of Council reports and the cost of public notices in the Latrobe Valley Express inviting submissions. Subject to Council finalising the statutory process, the cost of an independent valuation and a notice in the Victoria Government Gazette would also be incurred.

The cost of the public notice, gazette notice and valuation are borne by the applicant.

### **INTERNAL/EXTERNAL CONSULTATION**

*Engagement Method Used:*

Public comment on the proposed road discontinuance has been sought via:

- Public notices published in the Latrobe Valley Express on Thursday 5 and Monday 9 November 2015;

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- Letters sent to the owners of 60 Craighburn Place, 65 Craighburn Place and 76 Stuart Street, Traralgon East;
- Notice displayed at the corporate headquarters and Traralgon Service Centre, and
- Details placed on the Latrobe City Council website.

*Details of Community Consultation / Results of Engagement:*

In response to the public notices and correspondence two verbal enquiries and one formal submission was received regarding the proposed road discontinuance.

One of the verbal enquiries was from the owner of 76 Stuart Street who indicated that, up until a couple of years ago, there was an arrangement with AGL Loy Yang Pty Ltd for use of the road in winter to move hay and in summer to move cattle between paddocks.

Should the road be discontinued the renewal of any such arrangement would be subject to private negotiations between the landowner and AGL Loy Yang Pty Ltd.

The second enquiry sought confirmation concerning the section of road proposed to be discontinued.

A formal submission has been received, via e-mail, from the owner of 65 Craighburn Place, Traralgon East, objecting to the proposed road discontinuance on the grounds that the road may be required should the property ever be subdivided in the future. The owner has also expressed concern that AGL Loy Yang Pty Ltd never approached the adjoining land owners prior to making an application to Council.

As stated previously, this property currently has a single point of access to Craighburn Place prior to the existing gate.

The property is located in a Farm Zone with an area of approximately 13 hectares which is significantly less than the minimum subdivision area of 40 hectares currently included in the Latrobe Planning Scheme. As such, it is unlikely that the land could be subdivided requiring use of the road in the future.

It should be noted that there was no requirement for AGL Loy Yang Pty Ltd to contact adjoining property owners as part of their application to have part of the road discontinued. Council are required to seek public comment on the proposal in accordance with Section 223 of the Local Government Act 1989 and this includes notifying all property owners in the immediate area of the proposal and inviting them to make a submission.

**OPTIONS**

Council has the following options:

1. Resolve to discontinue this section of Craighburn Place, Traralgon East, and transfer the land to AGL Loy Yang Pty Ltd at a purchase price based upon an independent valuation.

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2. Resolve to discontinue this section of Craighburn Place, Traralgon East, and transfer the land to AGL Loy Yang Pty Ltd for a nominal consideration.
3. Resolve not to discontinue this section of Craighburn Place, Traralgon East, and retain the road.

**CONCLUSION**

The section of Craighburn Place, Traralgon East, is not required as part of Council's road network, is not presently maintained by Council and is not accessible to the public.

Whilst it has been used by an adjoining property owner as part of a private arrangement with AGL Loy Yang Pty Ltd this section of Craighburn Place is clearly not required for public traffic. This would certainly be the case should the separate application to DELWP to acquire the part of the government road beyond this section be successful.

Having given public notice of its intention to consider the potential discontinuance and sale by private treaty of this section of Craighburn Place, Traralgon East, to AGL Loy Yang Pty Ltd in accordance with the *Local Government Act 1989* it would be appropriate for Council to resolve to discontinue the road.

**SUPPORTING DOCUMENTS**

Nil

**Attachments**

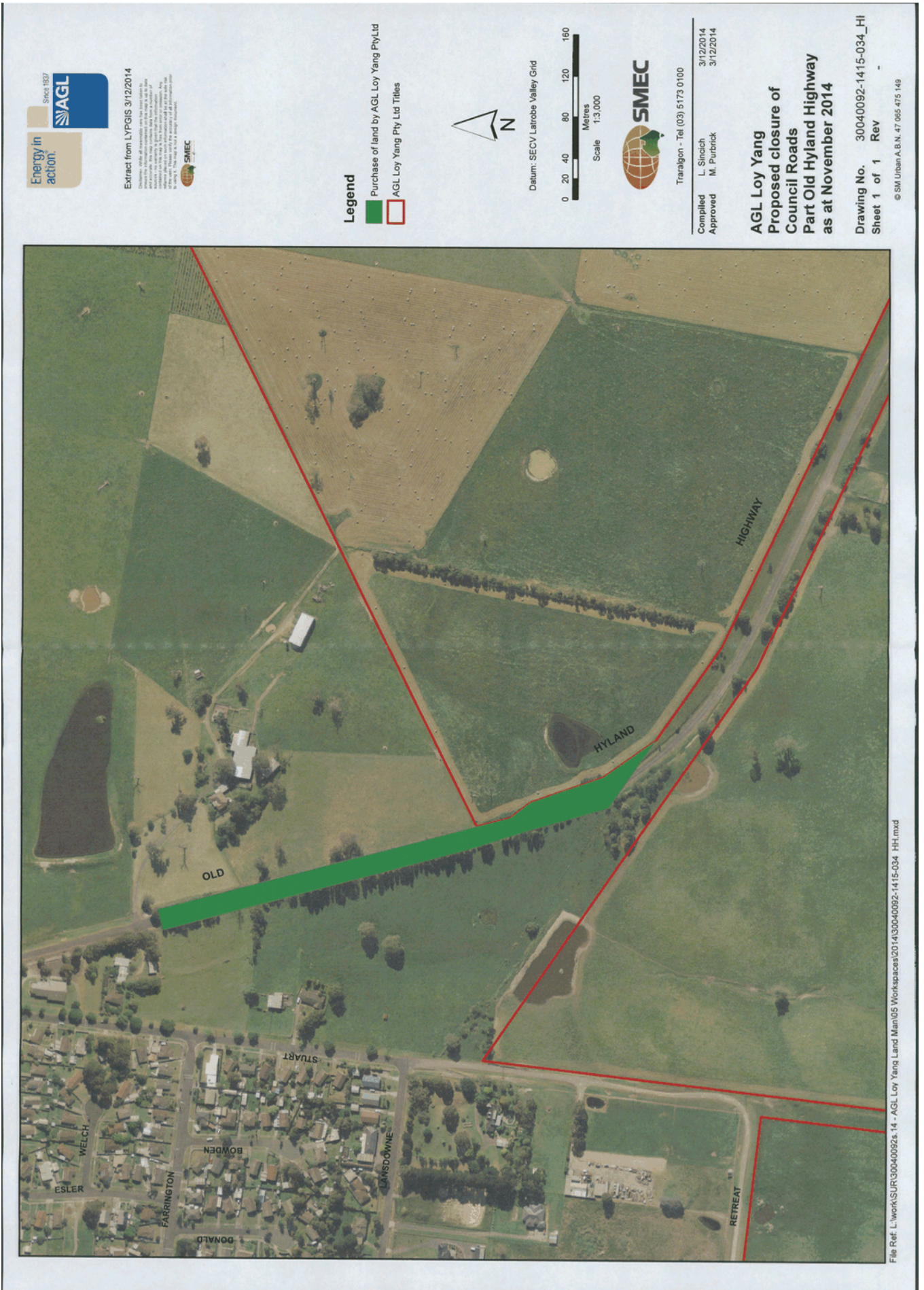
1. Plan showing section of Craighburn Place, Traralgon East, to be discontinued.
2. Submission objecting to proposed road discontinuance. (Published Separately)  
(Confidential)

## **10.1**

### **Proposed Road Discontinuance - Craighburn Place, Traralgon East**

- 1 Plan showing section of Craighburn Place, Traralgon  
East, to be discontinued. .... 48**





# CORRESPONDENCE

**11. CORRESPONDENCE**

Nil reports

# PRESENTATION OF PETITIONS

**12. PRESENTATION OF PETITIONS**

Nil reports

# CHIEF EXECUTIVE OFFICE

**13. CHIEF EXECUTIVE OFFICE**

Nil reports

# CITY DEVELOPMENT



**14. CITY DEVELOPMENT**

**14.1 LATROBE REGIONAL AIRPORT MASTER PLAN 2015**

**General Manager**

**City Development**

**For Decision**

**PURPOSE**

The purpose of this report is to present to Council the Draft Latrobe Regional Airport Master Plan 2015 for endorsement and release for public consultation.

**EXECUTIVE SUMMARY**

In February 2014 Council appointed Rehbein Airport Consultants to review and update the 2009 Latrobe Regional Airport Master Plan. In developing the Draft Latrobe Regional Airport Master Plan 2015 the contractor has taken into consideration the following major points:-

- Existing Site
- Planning Context
- Strategic Direction
- Development Concept
- Business Development & Marketing Strategy
- Airport Safeguarding

Consultation was held with key internal and external stakeholders, existing airport tenants and users, landowners in the surrounding area, and other interested organisations to provide early input to the development of the Draft Latrobe Regional Airport Master Plan 2015.

Extensive discussions were held with Council's Planning Officers and a specialised Airport planning consultant was also involved in identifying the appropriate planning mechanisms to be considered in the development of the Master Plan 2015.

The final Draft Latrobe Regional Airport Master Plan 2015 document was approved by the Airport Board at its meeting on 1 June 2015.

This report has been prepared for Council to endorse the Draft Latrobe Regional Airport Master Plan 2015 and recommend that it be placed on public exhibition for further comment.

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)****RECOMMENDATION**

That Council endorses the Draft Latrobe Regional Airport Master Plan 2015 as presented and release it for public consultation for a period of ten (10) weeks.

Councillor Sharon Gibson left the meeting, the time being 07:04 PM

Councillor Sharon Gibson returned to the meeting, the time being 07:09 PM

**MOTION**

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

**That Council notes the Draft Latrobe Regional Airport Master Plan 2015 as presented and release it for public consultation for a period of ten (10) weeks.**

**CARRIED UNANIMOUSLY****MOTION**

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

**That Council adjourns the meeting.**

**CARRIED UNANIMOUSLY**

The meeting adjourned at 7:10pm.

**Moved:** Cr Gibson  
**Seconded:** Cr Sindt

**That Council resumes the meeting.**

**CARRIED UNANIMOUSLY**

The meeting resumed at 7:19pm.

**DECLARATION OF INTEREST**

No officer declared a conflict of 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 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.

#### *Latrobe City Council Plan 2013 - 2017*

##### *Theme and Objectives*

Actively pursue economic prosperity for Latrobe City, one of Victoria's four major regional cities.

Actively pursue further diversification of business and industry in the municipality.

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

*Strategic Direction 1 – Provide incentives and work proactively to attract new business and industry to locate in Latrobe City.*

*Strategic Direction 2 – Assist existing small and medium enterprises to expand and sustain employment opportunities.*

*Strategic Direction 3 – Work in partnership with business, industry and government to create new jobs and investment in Latrobe City.*

*Service Provision – Maintain, develop and operate Latrobe Regional Airport in accordance with Civil Aviation Safety Authority regulations and the Latrobe Regional Airport Masterplan.*

*Major Initiatives - Implement the Latrobe Regional Airport Master Plan to effectively develop the airport and to facilitate investment and jobs growth.*

*Strategy – Latrobe Regional Airport Master Plan*

##### *Policy - Deed of Delegation*

The Latrobe Regional Airport is wholly owned by the Latrobe City Council and operates under the management of the Latrobe Regional Airport Board. The Latrobe Regional Airport Master Plan guides the development of the Airport over a 20 year horizon with a review carried out every 5 years.

**BACKGROUND**

The Latrobe Regional Airport Masterplan acts as a foundation to underpin all the activities and decisions of the Latrobe Regional Airport Board and Latrobe City Council. The vision for the Latrobe Regional Airport contained in the current Latrobe Regional Airport Masterplan (2009) is:

*“To promote the development and expansion of the Latrobe Regional Airport as a regionally significant airport providing a hub for aviation services and employment thereby adding economic and social benefit to the region, whilst maintaining options for future RPT services”.*

The Latrobe Regional Airport is wholly owned by Latrobe City Council on behalf of the community. The Airport operates under the management of the Latrobe Regional Airport Board which comprises representatives from the aviation sector, related firms, community and local government. The Latrobe Regional Airport Board is Council's nominee to hold the airport license issued under Civil Aviation Regulations and is responsible for the promotion and development of regional aviation and tourism in the Latrobe region through the management, operation, maintenance and enhancement of the Airport. The duties of the Board include the development and periodic review of a masterplan for approval by Council. The Latrobe Regional Airport Master Plan guides the development of the Airport over a 20 year horizon with a review carried out every 5 years. Rehbein Airport Consultants was awarded the contract to undertake the 2015 review of the Latrobe Regional Airport Master Plan in February 2014.

**KEY POINTS/ISSUES****Master Plan Review 2015**

The importance to Latrobe City Council of the Latrobe Regional Airport is formalised in the Latrobe City Economic Sustainability Strategy 2011 and the draft 2015 Economic Development Strategy. The Latrobe Regional Airport is recognised as one of the City's three key employment zones which are of significant interest in terms of future prosperity and growth for the municipality.

These three employment zones have an emphasis on job creation, industry diversification and the ability to offer opportunities to prospective investors.

The Draft Latrobe Regional Airport Master Plan 2015 took into consideration the following major points:-

- Existing Site
- Planning Context
- Strategic Direction
- Development Concept
- Business Development & Marketing Strategy
- Airport Safeguarding

The Draft Master Plan includes provision for an Education and Training Precinct which will compliment the developing association between Federation Training and the Latrobe Regional Airport. Aviation apprentices

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)**

that are currently training through Federation Training are being employed at the Mahindra Aerospace/GippsAero manufacturing facility.

The plan also identifies a Northern Business and Employment Zone and the expansion of the Southern Business and Employment Zone.

There needed to be some clarification around Council's aspirations for the land around the airport, and the Airport Board's view of that same area. Council's planners and the Master Plan consultant worked to align the needs of both the Council and the Airport Board and achieve the outcomes that the parties were seeking, ie; long term planning protection for safeguarding the airport within the planning scheme without inhibiting the Council's view of appropriate development opportunities in the area.

A specialised airport and airport environs planning expert was used to assist in this part of the Master Plan development.

The final Draft Master Plan 2015 document was approved by the Airport Board at its meeting on 1 June 2015 subject to the provision of new Australian Noise Exposure Forecast (ANEF) and noise above (N) contours.

Rehbein Airport Consultants have completed the Australian Noise Exposure Forecast (ANEF) including N above contours for inclusion in the Draft Latrobe Regional Airport Master Plan 2015. These contour plans have been submitted to Airservices Australia for technical correctness assessment and endorsement.

The Master Plan provides a high level direction for the future of the Latrobe Regional Airport, outlining possible investment, grant-funding and expansion opportunities for aviation services, business and manufacturing. The prioritisation and costings of these opportunities will be articulated in a detailed action plan to be prepared alongside the community exhibition period. Subject to Council's adoption of the draft Master Plan, a priority action will be the inclusion of amendments to the Latrobe Planning Scheme to ensure the ongoing protection of the airport and future investments.

**RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework. The risk to Council of the Draft Master Plan 2015 being delayed, is the possible loss of potential investors and development opportunities.

**FINANCIAL AND RESOURCES IMPLICATIONS**

The 2015 review of the Latrobe Regional Airport Master Plan will be returned within the allocated budget. The budget of \$120,000 was funded on a 1:1 basis between Latrobe City Council and the Victorian Government Putting Locals First program.

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

### **INTERNAL/EXTERNAL CONSULTATION**

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

In line with Council's Community Engagement Strategy consultation was undertaken with a range of stakeholders to identify key issues and opportunities. This consultation targeted key internal and external stakeholders, existing airport tenants and users, landowners in the surrounding area, and other interested organisations to provide early input to the development of the Draft Latrobe Regional Airport Master Plan 2015. Consultations with airport-based stakeholders were undertaken in person at Latrobe Regional Airport either individually or in group sessions. Other organisations were contacted by email.

This report has been prepared for Council to endorse the Draft Master Plan 2015 and recommend that it be placed on public exhibition for further comment.

The proposed timetable for this process is shown below.

<b>Date</b>	<b>Activity</b>
7 December 2015	Council endorse Master Plan and release for public comment
8 December 2015 – 18 February 2016	Public consultation period.
21 March 2016	Report with public submissions to Council

### **OPTIONS**

Council has the following options:

1. Endorse the Draft Latrobe Regional Airport Master Plan 2015 and release it for public consultation; or
2. Seek further clarification in respect to the Draft Latrobe Regional Airport Master Plan 2015 report.

### **CONCLUSION**

The Latrobe Regional Airport Master Plan has been reviewed and updated by Rehbein Airport Consultants to reflect the current views and aspirations of all stakeholders and the community. The Draft Master Plan 2015 is now presented to Council for endorsement and release for further public consultation.

### **SUPPORTING DOCUMENTS**

Nil

#### **Attachments**

1. Latrobe Regional Airport Masterplan 2015

## **14.1**

### **Latrobe Regional Airport Master Plan 2015**

<b>1</b>	<b>Latrobe Regional Airport Masterplan 2015.....</b>	<b>63</b>
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DATE 20 November, 2015

Draft

**Latrobe Regional Airport | Master Plan 2015**  
**For Latrobe City Council**





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**Document Control Page**

Revision	Date	Description	Author	Signature	Verifier	Signature	Approver	Signature
0	29/1/15	PRELIMINARY	BJH		BFW		BJH	
1	29/1/15	PRELIMINARY	BJH		BFW		BJH	
2	10/2/15	PRELIMINARY	BJH		BFW		BJH	
3	2/3/15	PRELIMINARY	BJH		BFW		BJH	
4	16/3/15	DRAFT	BJH		BFW		BJH	
5	25/5/15	FINAL DRAFT	BJH		BFW		BJH	
6	5/6/15	FINAL	BJH		BFW		BJH	
7	25/8/15	FINAL DRAFT	BJH		ND		BJH	
8	20/11/15	FINAL DRAFT	BJH		ND		BJH	



## GLOSSARY OF TERMS AND ABBREVIATIONS

<b>ACN (Aircraft Classification Number)</b>	A number expressing the relative effect of an aircraft on a pavement for a specified standard subgrade category.
<b>ASV</b>	Annual Service Volume
<b>Aerodrome</b>	A defined area on land or water (including any buildings, installations and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft.
<b>AFRU (Aerodrome Frequency Response Unit)</b>	The AFRU is an electronic, ground based, aviation safety enhancement device, intended for use on the CTAF or MBZ frequency at non-controlled aerodromes.
<b>AIP ERSA</b>	Airservices Australia Aeronautical Information Package En-Route Supplement Australia
<b>ANEF</b>	Australian Noise Exposure Forecast
<b>ARC (Aerodrome Reference Code)</b>	A code used to specify the standards for individual aerodrome facilities which are suitable for use by aeroplanes within a range of performances and sizes. The code is composed of two elements: the first is a number (from 1 to 4) related to the aeroplane reference field length and the second is a letter (from A to F) related to the aeroplane wingspan and outer main gear wheel span.
<b>ARP</b>	Aerodrome Reference Point
<b>ATC</b>	Air Traffic Control
<b>AWIS</b>	Automatic Weather Information Service
<b>AWS</b>	Automated Weather Station
<b>BoM</b>	Bureau of Meteorology
<b>CAGR</b>	Compound Annual Growth Rate
<b>CASA (Civil Aviation Safety Authority)</b>	The Australian federal government department responsible for setting and maintaining safety standards for civil aviation. CASA is responsible for the codification of international standards and recommended practices into Australian legislation and for the issue of licences for aviation personnel including pilots, amongst other responsibilities.
<b>CASR (Civil Aviation Safety Regulation)</b>	CASRs establish the regulatory framework ( <i>Regulations</i> ) within which all service providers must operate.
<b>Council</b>	Mid-Western Regional Council
<b>CTAF</b>	Common Traffic Advisory Frequency
<b>FAA</b>	Federal Aviation Administration (United States Department of Transportation)
<b>General Aviation (GA)</b>	The sector of the aviation industry that does not include regular public transport (RPT) airlines and military aviation.
<b>GPS</b>	Global Positioning System
<b>IATA</b>	International Air Transport Association



<b>ICAO</b>	International Civil Aviation Organisation
<b>IFR/IMC (Instrument Flight Rules/ Instrument Meteorological Conditions)</b>	Refers to rules under which flight involving navigation requiring reference to radio navigational aids or instruments is carried out. Weather conditions below a certain minima are referred to as instrument meteorological conditions (IMC). IFR flight requires pilots to be qualified in the use of instrument navigation and to use radio navigational aids provided at airports.
<b>INM</b>	Integrated Noise Model
<b>IWI</b>	Illuminated Wind Indicator
<b>LCC</b>	Latrobe City Council
<b>LIRL</b>	Low Intensity Runway Lighting
<b>LPPF</b>	Local Planning Policy Framework
<b>LPS</b>	Latrobe Planning Scheme
<b>LRAB</b>	Latrobe Regional Airport Board
<b>LVAC</b>	Latrobe Valley Aero Club
<b>MOS</b>	Manual of Standards
<b>MTOW</b>	Maximum Take-off Weight
<b>NASF</b>	National Airports Safeguarding Framework
<b>Navaid</b>	Commonly-used abbreviation for 'radio navigational aid'
<b>NDB (Non Directional Beacon)</b>	A simple and common type of radio navigational aid which allows pilots to track to or from its location.
<b>Non-precision instrument approach</b>	An instrument approach and landing that uses lateral guidance but does not use vertical guidance.
<b>OLS</b>	Obstacle Limitation Surfaces
<b>PAL</b>	Pilot Activated Lighting
<b>PANS-OPS</b>	Procedures for Air Navigation Systems – Aircraft Operations
<b>Pavement Classification Number (PCN)</b>	A number expressing the bearing strength of a pavement for unrestricted operations by aircraft with ACN value less than or equal to PCN.
<b>Payload</b>	The total weight of passengers and cargo that an aircraft can carry.
<b>PSI</b>	Unit of pressure or stress (pounds per square inch)
<b>RESA (Runway End Safety Area)</b>	Area provided at the end of a runway strip, to protect the aeroplane in the event of undershooting or overrunning the runway.
<b>RFDS</b>	Royal Flying Doctor Service
<b>RNAV/GNSS Approach</b>	Area Navigation/Global Navigation Satellite System Approach. A form of instrument approach procedure using signals from orbiting satellites to determine an aircraft's precise position at a point in time.
<b>RPT (Regular Public Transport)</b>	Air services operated by airlines that are scheduled to occur on a regular basis at fixed times or frequencies and on fixed routes.



<b>RWS (Runway Strip)</b>	A defined area including the runway and stopway, intended to reduce risk of damage to aircraft running off a runway and to protect aircraft flying over it during take-off or landing operations.
<b>RWY</b>	Runway
<b>TGAR</b>	Traralgon Growth Areas Review
<b>TWSP</b>	Traralgon West Structure Plan
<b>TWY</b>	Taxiway
<b>VFR/VMC (Visual Flight Rules/ Visual Meteorological Conditions)</b>	Refers to rules under which flight involving navigation solely by reference to visual cues (rather than requiring reference to radio navigational aids or instruments) is carried out. VFR flight is permissible only when meteorological conditions (cloud base and visibility) are above defined limits. Such conditions are referred to as visual meteorological conditions (VMC). VFR flight does not require pilots to be qualified in the use of instrument navigation, nor does it require expensive radio navigational aids to be provided at airports.
<b>VPP</b>	Victoria Planning Provisions
<b>VSS</b>	Visual Segment Surface. Forms part of the PANS-OPS surfaces associated with a non-precision instrument approach to a runway and may, in some circumstances, be lower than the OLS
<b>WI</b>	Wind Indicator

DRAFT



## EXECUTIVE SUMMARY

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### Background and Purpose

It is routine to review airport master plans every five years. The Latrobe Regional Airport Master Plan was last reviewed in 2009 and over the last five years significant changes in the economic outlook for the Latrobe Valley have occurred. Latrobe City Council (LCC) therefore engaged REHBEIN Airport Consulting to develop the Latrobe Regional Airport Master Plan 2015 with the objective of providing:

- A visionary, vibrant and achievable Master Plan to guide the development of the Latrobe Regional Airport until 2035; and
- A business strategy which contributes to the sustainable development of the Latrobe Regional Airport and to the creation of employment.

An important purpose of airport master planning is to link and coordinate on- and off-airport planning and future development, to ensure that surrounding land uses remain compatible with the long-term plans for the airport.

### Objectives

The Latrobe Regional Airport Master Plan acts as a foundation to underpin all activities and decisions of the Latrobe Regional Airport Board and Latrobe City Council. The overall aim of this review is to revise the current 20-year Master Plan for Latrobe Regional Airport in order to revitalise the airport. The specific goal of the Latrobe Regional Airport Master Plan is to facilitate the appropriate development of the Latrobe Regional Airport and surrounds over the next 20 years, which will in turn, increase levels of employment, output and investment at the Latrobe Regional Airport.

### Site Context

Latrobe City is located approximately 150 kilometres east of Melbourne and encompasses the towns of Churchill, Moe-Newborough, Morwell, and Traralgon. The city has a population in excess of 70,000 and is one of Victoria's major regional centres. Latrobe's status as one of the 10 regional cities identified within Victoria's strategic planning policy (and the only eastern regional city) recognises its importance to the continued growth and development of Victoria as a whole.

Most of Victoria's electricity generation facilities are located in the area, which is also the centre of a large forestry industry which services Australia's largest pulp and paper mill.

Latrobe Regional Airport is located approximately midway between the towns of Morwell and Traralgon, some 500 metres north-west of the Princes Highway and the Gippsland Railway. The airport comprises 200 hectares of relatively flat, open land used for a variety of aviation and related uses. The surrounding areas are characterised by a variety of uses including: rural living



development to the east; plantations to the north and west; and the Latrobe Regional Hospital, a motel and caravan park to the south. **Figure A** (at Appendix A) provides a locality plan.

The Latrobe Regional Airport is wholly owned by Latrobe City Council on behalf of the Latrobe City community. The airport operates under the management of the Latrobe Regional Airport Board which comprises representatives from local government, the aviation sector, related firms and the community.

### Existing Development

The airport land includes the following land uses, which are illustrated on **Figure B** and **Figure C** (at Appendix A):

- Aerodrome movement area consisting of a main sealed runway 1,430m long by 23m wide, a secondary unsealed runway 919m long by 18m wide, a glider facility, taxiways, sealed and unsealed apron areas;
- Mahindra Aerospace, formerly Gippsland Aeronautics (GippsAero), occupies an area of approximately 2.3 hectares including a fabrication workshop, assembly shop, paint bay, finishing hangar, offices and canteen, together with employee and visitor car parking;
- A hangar precinct incorporating five hangars, including a large facility housing the Latrobe Flying Museum's collection of ex-military aircraft;
- Hangar and administrative facilities owned by the Latrobe Valley Aero Club;
- A precinct incorporating bases for emergency services providers including: Helimed 1, Air Ambulance Victoria's regional base for helicopter aeromedical operations; and the Department of Environment, Land, Water and Planning (DELWP – formerly DEPI) aerial fire-fighting base;
- A private hangar precinct with 34 privately-owned hangar units housing light aircraft;
- Terminal area including the terminal building, roads and car parks and engineering services;
- Support facilities including aircraft fuelling and airport maintenance; and
- Operational facilities including navigational aids and an automated weather station.

The areas to the north of Runway 09/27 and west of Runway 03/21 are largely undeveloped.

### Current Activity

Annual aircraft movements are estimated at around 30,000 per year. Around 30% of movements are due to private, sports and recreational users, almost half are devoted to flying training, and the remainder are composed of emergency services, helicopters, charter, business and warbird activity.

The majority of movements are undertaken by single engine aeroplanes, including a substantial proportion of ultralight and microlight categories.





### Relevant Planning Background

The Latrobe Planning Scheme, including the Municipal Strategic Statement, provides strategic context and planning controls for the Latrobe Regional Airport and its surrounds. The Latrobe Regional Airport is formally recognised within the *Latrobe City Economic Sustainability Strategy 2011* as one of the City's three key employment zones, which have an emphasis on job creation, industry diversification and the ability to offer opportunities to prospective investors. These zones are of significant interest in terms of future prosperity and growth for the municipality.

#### *Traralgon Growth Areas Review*

Traralgon is the largest urban area in the Gippsland region and Latrobe City Council undertook the *Traralgon Growth Areas Review (TGAR)* in response to a number of critical factors which put pressure on the ability of Traralgon and surrounds to accommodate future development. The TGAR was adopted by Council in 2014.

The purpose of the TGAR is to identify all future urban development growth options in and around Traralgon to ensure sufficient land is set aside for long term residential, commercial and industrial requirements as a result of future population, housing, retail and employment demands.

The TGAR acknowledges the importance of Latrobe Regional Airport as a major regional asset with considerable existing investment and recommends that consideration be given to the long term needs and opportunities of the aerodrome in a broader strategic context, including the land requirements for the airport.

One of the key outputs of TGAR is the *Traralgon West Structure Plan (TWSP)* which provides additional detail and direction regarding future land use and planning of the Traralgon-Morwell corridor, within which Latrobe Regional Airport is situated. The TWSP presents a number of opportunities which are relevant to the potential development at Latrobe Regional Airport. To the south of the airport site, the land immediately adjoining the hospital and south of the airport is identified as an 'employment investigation area', to be developed with employment generating uses directly related to Latrobe Regional Airport or the hospital, to support the Regional City of Latrobe. The TWSP identifies that further work in the form of a development plan or master plan is required in relation to this area. As such, this Latrobe Regional Airport Master Plan 2015 should be considered in any land use decisions affecting this area.

### Development Constraints

The key constraints on development within the Latrobe Regional Airport site are depicted on **Figure D** (at Appendix A) and include:

- An urban amenity buffer in relation to the Australian Paper Maryvale pulp mill as identified within TGAR. Whilst this buffer is not included in the Latrobe Planning Scheme as an overlay control, it is considered a constraint to further residential development or intensification in the area without the agreement of both Australian Paper and the EPA.



- A Gippsland Water emergency storage facility is located adjacent the northern boundary of the site, on the opposite side of Old Melbourne Road. A buffer to this facility is also identified within the TWSP. There is some ambiguity regarding the interpretation of the application of the buffer between Gippsland Water and the Latrobe Regional Airport. However this buffer is currently contained within the urban amenity buffer associated with the Australian Paper Maryvale pulp mill; and
- A gas pipeline runs adjacent the western and northern boundary of the airport, within the airport fence.

### Strategic Direction

The adopted vision for the Latrobe Regional Airport to be reflected in the 2015 Master Plan is:

*To promote the development and expansion of the Latrobe Regional Airport as a regionally significant airport providing a hub for aviation services and employment thereby adding economic and social benefit to the region, whilst maintaining options for future passenger transport services.*

### Future Growth and Business Development Opportunities

Broad trends in the aviation industry which are expected to influence the range of opportunities available for aviation businesses at regional airports such as Latrobe were considered. These opportunities were then refined in light of regional economic context, existing activities and aviation businesses already established at Latrobe Regional Airport and a SWOT assessment undertaken with the Latrobe Regional Airport Board.

In line with LCC's Community Engagement Strategy, consultation was undertaken with a range of stakeholders to identify key issues and opportunities. This consultation targeted key internal and external stakeholders, existing airport tenants and users, landowners in the surrounding area, and other interested organisations to provide early input to the development of the draft Latrobe Regional Airport Master Plan 2015.

Through this process, a refined and prioritised list of possible opportunities for aviation business growth was developed.

#### Regional Aerospace Manufacturing Hub

The presence of an aircraft development and manufacturing capability offers a number of unique opportunities which could combine to create a regional aerospace manufacturing hub. Such a hub could incorporate a number of related activities consistent with state and local government's stated employment priorities for the Latrobe Valley region, including: component manufacture; aircraft parts storage/warehousing and supply; advanced materials and manufacturing; and research and development.

#### Aerospace Education and Training

There are major industry-wide skills shortages across all forms of aircraft engineering. Skills shortages in aircraft maintenance sectors lend themselves naturally to education and training opportunities. Latrobe City is the educational centre for Gippsland, offering some of the finest educational facilities in regional Australia. The



opportunities to channel the existing education and training infrastructure towards the aerospace industry's skills gaps are significant.

#### **Aircraft Maintenance**

If Latrobe Regional Airport can establish an education and training capability, then clear synergies exist to attract aircraft maintenance, repair and overhaul organisations to the airport. Avionics in particular offers an opportunity due to particularly acute skills shortages and increased reliance on new technologies and roll-out of computer-based systems to airframes.

#### **Emergency Services**

There is potential for future expansion of emergency services activities at Latrobe Regional Airport. The established presence of DELWP and Helimed 1, a clear commitment to ensuring these are model facilities for regional areas, and the strategic importance of the airport as a regional emergency services hub for Gippsland, mean that other related service providers could be attracted to the airport in the future. It is important to recognise the importance of the airport and its support to the emergency services in the region and to protect and enhance the emergency precinct at the site.

#### **Private Aircraft Storage Hangars**

Uptake of the recently developed private hangar precinct has been strong, with a majority of the existing sites available having been let. Growth in this opportunity is considered to remain solid, leading to demand for expansion of the private hangar precinct.

#### **Aviation-related Events**

Latrobe City Council has an events-focussed strategy. Previous events including musical performances have been held at the airport and this could be an opportunity for similar activities in the future. Possibilities include: aviation fly-ins for the recreational aviation community, sporting-related activities musical or other cultural events, with the possibility that ambassadors and performers could arrive and depart by air; Displays of an aerobatic, warbird or other aviation heritage nature; Mahindra/GippsAero promotions; and aviation trade events

#### **Helicopters**

Given the growth in the helicopter sector generally, and the suitability of the facilities at Latrobe for helicopter training including winch/rapel activity, helimed crew training and confined space assessments, which are undertaken in the adjacent plantation it is expected that there will be opportunities to attract helicopter operators, training and maintenance providers to the airport.

#### **Residential Airpark**

The demand for hangar accommodation combined with residence is becoming increasingly popular in Australia and can, in general, be considered an important growth sector. The concept of a residential airpark at Latrobe is one which is not, per se, conducive to business and employment objectives. It is however acknowledged that the ability to offer residential airpark style blocks may assist in attracting aviation businesses to the airport. There are, however, currently insurmountable constraints on residential land use in the northern sector of the airport. The only alternative area is the southern commercial precinct, which provides the only short-term response to aviation business enquiries, including several immediate opportunities.

In the medium- to long-term, appropriate aviation-related residential uses, which acknowledge and are compatible with the primary objective of employment generation, have the potential to contribute to business development at Latrobe Regional Airport.



#### **Pilot Training**

It is considered likely that opportunities will be present for existing flying training providers to expand their business or for additional providers of similar services. However major airline flight training academies would not be expected to establish at Latrobe.

#### **Passenger services**

The re-establishment of regular public transport services at Latrobe Regional Airport is considered to be highly unlikely. Excellent road and rail connectivity means these modes compete favourably with air travel to Melbourne. Increasing limitations on regional airline access to Melbourne Airport will make it even more difficult for airlines to re-establish scheduled airline services. Adequate demand for services to other destinations is considered unrealistic, given the relative proximity to the superior range of destinations, airlines and service frequency available from Melbourne. Frequent charter or air taxi services offer an alternative model which, given the factors outlined above, are likely to be more viable than a traditional airline service.

#### **Aircraft Movements**

Future aircraft movements will be directly driven by the number and scale of businesses on airport. The Master Plan envisages an expansion from around 15 hectares of active precincts to between 30 and 40 hectares. This would suggest movement levels of between 60,000 and 75,000 per year could occur upon realisation of the Master Plan vision.

#### **Development Concept**

The development concept established for Latrobe Regional Airport in this Master Plan seeks to support the principal objective of the airport as one of the Latrobe Valley's key employment hubs and is underpinned by the following principles:

- Focus on providing for opportunities which offer the greatest business and employment potential; and
- Maximise the ability for directly aviation-related development through the provision of airside access wherever possible.

The development concept establishes a land use plan which maximise the potential for a wide variety of potential commercial aviation-related business operations at the airport in response to existing and likely future opportunities. The land use plan sets out a vision for the ultimate development of Latrobe Regional Airport, and provides principles and guidance about land use and development on the airport to the Latrobe Regional Airport Board.

The land use plan divides the airport into a series of broad zones, which are further subdivided into smaller precincts providing for specific uses where a logical benefit exists to ensuring these are located in particular physical areas.

**Figure E** (at Appendix A) provides a Land Use Concept and Development Zone Master Plan, which sets out the extent of the various zones and precincts and provides an indicative layout for development within each area. A degree of flexibility has deliberately been incorporated within these concepts to enable the actual layout of lease lots and infrastructure to be refined in response to specific opportunities as these eventuate.



Modest expansion of aviation business sited within the terminal zone is anticipated, and three further zones on the airport have been identified where activities associated with business and employment opportunities will be prioritised. A park, recreational and events zone is also envisaged.

Due to its location, lack of access or services, it would not make sense to develop the area between the two runways until other development areas have been exhausted. Requirements to establish infrastructure in this area is not envisaged within the 20-year horizon of this Master Plan. However, whilst this area remains undeveloped it would be suitable for a range of activities which might be required by aviation business currently established on the airport and those which Latrobe Regional Airport aspires to attract. The objective of this area within this Master Plan, therefore, is to remain as open area for use by those aviation activities which require it.

### **Aerodrome Facilities**

Aerodrome facilities have been identified to serve the development concept above, driven by the operational and other needs of the aviation businesses and other airport users envisaged through the land use plan.

The current runways are of adequate length and width to serve the current aircraft types and traffic levels, and their orientation is suitable to achieve adequate runway usability with respect to prevailing wind patterns. In order to preserve the future capability for Latrobe Regional Airport to accommodate operations by Code 3 aeroplanes in accordance with the applicable regulatory standards, previous Master Plans have included for a possible Code 3C runway aligned parallel to and north-west of the existing. Future opportunities that might require such a runway to be provided would be primarily related to passenger services (including charters), aircraft manufacturing, and the maintenance, repair and overhaul (MRO) sector. This Master Plan identifies two possible location options for a future runway. For the purpose of maximising future flexibility, planning which safeguards both options is required.

### **Airport Safeguarding**

Adequate protection of the basic capability to undertake aircraft operations in accordance with prescribed safety standards and regulatory requirements, and in an efficient and economic manner, is imperative to the future realisation of aeronautical opportunities at Latrobe Regional Airport. These aeronautical operations provide the essence of the airport's activity and hence the catalyst for all employment and business activity envisaged by this Master Plan. Without adequate safeguarding, the vision established by the 2015 Latrobe Regional Airport Master Plan will not be achieved.

It is vitally important to protect Latrobe Regional Airport from encroachment from incompatible urban expansion and ensure continued operations whilst protecting the amenity of surrounding properties. In order to adequately protect for potential future aircraft operations envisaged by this Master Plan, safeguarding of a number of aspects will be required through appropriate planning and development restrictions and monitoring processes. In order to be most effective, these restrictions will be referenced within the Latrobe Planning Scheme.



## 1.0 INTRODUCTION

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### 1.1 BACKGROUND

The Latrobe Regional Airport Master Plan was last reviewed in 2009. The 2009 Master Plan evolved from the plan originally prepared in 1998, and subsequently revised in 2004, building on the original Master Plan's strengths and addressing some of its weaknesses.

In keeping with good practice it is routine to conduct a review of an Airport Master Plan every five years and this period has now elapsed since the 2009 Master Plan was adopted. In addition, over the last five years significant changes in the economic outlook for the Latrobe Valley have occurred as a result of changing attitudes and policies regarding carbon emissions. These global, national and state contexts have obvious potential to impact on the traditional coal and power generation sectors in which the region has been especially strong.

The purpose of this study is therefore to undertake a comprehensive review of the Latrobe Regional Airport Master Plan 2009 to develop a visionary, vibrant and achievable Master Plan to guide the development of the Latrobe Regional Airport until 2035, and provide a business strategy which contributes to the sustainable development of the Latrobe Regional Airport and to the creation of employment.

Latrobe City Council (LCC) engaged REHBEIN Airport Consulting to develop the Latrobe Regional Airport Master Plan 2015 to achieve this strategic planning goal.

### 1.2 PURPOSE

Airport master planning is undertaken to enable best-management practices and sound land use development in addressing diverse aviation and community interests. An Airport Master Plan is the primary strategic tool available to airport owners and operators, and communicates the operator's intentions with respect to development of the airport – to existing users, potential businesses, stakeholders and the general public.

Its purpose is to set out a long-term framework for the development of all facilities within the airport that provides adequately for short- and long-term opportunities and which protects future development against the effect of current decisions. Local government, industry and the community are informed of these intentions through the Master Plan, enabling compliant and compatible land-use planning and maximisation of any synergies across the local economy.

Master plans are not only developed to strategically guide the development of aeronautical-related aspects of the airport but also used to identify non-aeronautical opportunities for development. Airports are not merely pieces of infrastructure but businesses in their own right. Appropriate consideration and integration of aeronautical, aviation-support, aviation-related and compatible non-aviation land uses is key to guiding the successful development of a modern airport.



Consistent with these strategic considerations, the *Airports Act 1996* summarises the aims of an Airport Master Plan as follows:

- Establishing strategic direction for the efficient and economic development of the airport over the planning period;
- Providing for the development of additional uses of the airport site;
- Indicating to the public the intended uses of the airport site; and
- Reducing potential conflicts between uses of the airport site, and to ensure that uses of the airport site are compatible with the areas surrounding the airport.

Although the *Airports Act 1996* does not have statutory application to Latrobe Regional Airport, it is an appropriate industry benchmark for airport master planning and these four key aims remain relevant.

The specific purpose of the Latrobe Regional Airport Master Plan is to facilitate the appropriate development of the Latrobe Regional Airport and surrounds over the next 20 years, which will in turn, increase levels of employment, output and investment at the Latrobe Regional Airport.

### 1.3 PLANNING OBJECTIVES

The Latrobe Regional Airport Master Plan acts as a foundation to underpin all activities and decisions of the Latrobe Regional Airport Board and Latrobe City Council. The overall aim of this review is to revise the current 20-year Master Plan for Latrobe Regional Airport in order to revitalise the airport. The principal objectives for the Latrobe Regional Airport Master Plan 2015 are that it should:

- Set the vision for the Latrobe Regional Airport to 2035, and beyond, including the key market opportunities that should be pursued to achieve the vision;
- Clarify the positioning work that needs to be undertaken in order for the Latrobe Regional Airport to achieve its vision including processes and timing that need to occur;
- Link into the strategic context of Latrobe City Council and its objective of the Latrobe Regional Airport as a key employment zone.

At a more detailed level, the objectives of the review include a desire to:

- Review and revise the existing Latrobe Regional Airport Master Plan 2009 as identified within the Latrobe Planning Scheme's Local Planning Policy Framework (LPPF);
- Review the current vision statement and develop a revised Master Plan for the sustainable development of the airport and its environs that will guide future growth of associated industries and business at the Latrobe Regional Airport over the period;
- Assess the success of the current business model under which the Latrobe Regional Board operates;



- Identify future growth and business development opportunities at the Latrobe Regional Airport, highlighting community benefits and opportunities while providing direction for diversity in business and industry at the Latrobe Regional Airport;
- Identify marketing opportunities that will attract aviation businesses and achieve a critical mass that will ensure the continued development of a recognised aviation/aerospace hub at the Latrobe Regional Airport;
- Review the land tenure model (leasehold, premium leasehold, freehold) to ensure it remains relevant;
- Review existing land use planning and development controls applicable to the Latrobe Regional Airport and its environs and identify any necessary amendments to the Latrobe Planning Scheme where required to support the objectives of the revised Master Plan;
- Review existing and future Obstacle Limitation Surfaces (OLS) areas together with Procedures for Air Navigation Systems – Aircraft Operations (PANS-OPS) surfaces and the Australian Noise Exposure Forecast (ANEF) mapping applicable to the Latrobe Regional Airport and verify their incorporation within the appropriate provisions of the Latrobe Planning Scheme;
- Prepare Development Guidelines for the Latrobe Regional Airport to ensure an attractive and sustainable built form of new development. The Development Guidelines will facilitate the ongoing useability, functionality and viability of the development precincts over the next 20 years;
- Consider future demand for Airport services in the context of projected demographic and economic changes in the region;
- Review relevant Commonwealth, State and Local government policy, and other relevant studies and strategies likely to be of significance to the future planning and development of the Latrobe Regional Airport; and
- Ensure that Latrobe Regional Airport Board, Latrobe City Council, key stakeholders and the community are fully engaged in the review and development of the Master Plan.

#### 1.4 MASTER PLAN STRUCTURE

This 2015 Latrobe Regional Airport Master Plan is structured in three broad segments.

- **Sections 2 and 3** provide analysis of the existing site and planning context against which the Master Plan has been developed;
- **Sections 4 and 5** establish the strategic vision for Latrobe Regional Airport through an analysis of key business development opportunities and a development concept for land use;
- **Sections 6 and 7** are focussed on implementing the vision. Section 6 outlines a business development and marketing strategy with key steps required to ensure the future growth and vibrancy of businesses at Latrobe Regional Airport, whilst Section 7 identifies





important airport safeguarding requirements in accordance with nationally accepted principles for inclusion within the Latrobe Planning Scheme to ensure future development opportunities are adequately protected far into the future.

Figures illustrating various aspects of the Master Plan are incorporated at **Appendix A**. Appendices B through D provide other supporting information as referenced throughout this document.

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## 2.0 EXISTING SITE ANALYSIS

### 2.1 SITE CONTEXT

#### 2.1.1 LATROBE CITY

Latrobe City is located approximately 150 km east of Melbourne and is one of Victoria's major regional centres. It covers an area of 1,426 square kilometres and, at the 2011 Census, had a population of 72,395. The region is made up of four central towns: Churchill, Moe-Newborough, Morwell, and Traralgon.

Most of Victoria's electricity generation facilities are located in the Latrobe Valley and the region has Australia's largest reserves of brown coal. Power generation resources and facilities dominate the landscape of large areas of the valley. To the immediate southwest of Traralgon is the Loy Yang Power Complex and open cut coal mine. Large areas of rural land to the south of Traralgon have been set aside as long term future coal reserves.

Latrobe City is also the centre of a large forestry industry which services Australian Paper's Maryvale pulp and paper mill (the largest in Australia) and other sawmills. Other industries in the area include food processing (Lion, Morwell), engineering, post-secondary education with the new Federation University Australia and the service sector. Being the largest population centre in the Gippsland region, Latrobe City acts as the regional headquarters for Government agencies and private operators.

Latrobe City is one of 10 regional cities identified within Victoria's strategic planning and the only eastern regional city. Latrobe's status as a regional city recognises its importance to the continued growth and development of Victoria as a whole. Latrobe's location means that the catchment for service provision extends outside the Latrobe City Council administrative boundaries and encompasses Sale and Bairnsdale to the east, Leongatha and Mirboo to the south. Realisation of the regional city objectives will continue to place development pressure on available land within Latrobe for employment and residential uses.

#### 2.1.2 LATROBE REGIONAL AIRPORT

Latrobe Regional Airport is located in a predominantly rural and farming area approximately midway between the towns of Morwell and Traralgon. The site is located some 500m north-west of the Princes Highway and the Gippsland Railway, which provide direct links to Melbourne and the region. A locality plan for Latrobe Regional Airport is shown in **Figure A**.

The site was originally chosen as the location for the airport as it was a large parcel of land and the proposed use was compatible with the surrounding uses at the time. It was also central to key transport routes and could make use of prevailing winds for runway positioning. The airport comprises 200 hectares of relatively flat, open land used for a variety of aviation and related uses.



The Latrobe Regional Airport is wholly owned by Latrobe City Council on behalf of the Latrobe City community. The airport operates under the management of the Latrobe Regional Airport Board which comprises representatives from local government, the aviation sector, related firms and the community.

The importance to Latrobe City Council of the Latrobe Regional Airport is formalised in the *Latrobe City Economic Sustainability Strategy 2011*. The Latrobe Regional Airport is recognised as one of the City's three key employment zones which are of significant interest in terms of future prosperity and growth for the municipality. These three employment zones have an emphasis on job creation, industry diversification and the ability to offer opportunities to prospective investors.

The existing operations and services at Latrobe Regional Airport are divided into seven precincts:

- Main Apron and Terminal area;
- North East Commercial area;
- Central Hangar Precinct
- GippsAero / Mahindra Aerospace facilities;
- Emergency Services Precinct;
- Southern Commercial Area; and
- Northern and western development areas

**Figure B** at Appendix A provides a layout of existing airport facilities. The airport land includes the following land uses:

- Movement area consisting of a main sealed runway, a secondary unsealed runway, a glider strip, taxiways, RPT Apron and a Southern Apron.
- Hangars including Latrobe Valley AeroClub hangars, GippsAero / Mahindra Aerospace aircraft manufacturing precinct, a former glider facility now occupied by a local aviation business, and private hangars.
- Terminal area including the terminal building, roads and car parks and engineering services.
- Support facilities including aircraft fuelling, aircraft maintenance, airport maintenance and the Latrobe Valley Aero Club.
- Operational facilities including navigational aids and an automated weather station.

The above uses and existing infrastructure at the site are described in greater detail in **Section 2.2**.

The topography of Latrobe Regional Airport land and the surrounding area is relatively flat, with the exception of rising ground to the north east. The vegetation at the site has been somewhat disturbed during the development of the airport. However, vegetation is present, particularly around the terminal.



### 2.1.3 SURROUNDING DEVELOPMENT

The surrounding areas are characterised by a variety of uses including: rural living development to the east; plantations to the north and west; and the Latrobe Regional Hospital, a motel and caravan park to the south. Surrounding land uses are described in further detail in **Section 3.1**.

Development pressures are also a concern with continual pressure on residential development in the area historically leading to the potential for incompatible land uses in close proximity to airport operations. The main concern with the potential development of these areas is the appropriate location of new sensitive uses and ensuring compatibility between long-term airport operational needs and surrounding land uses. These issues are discussed further in **Section 3.0**.

## 2.2 EXISTING AERODROME INFRASTRUCTURE

### 2.2.1 RUNWAYS

There are currently two operational runways at Latrobe Regional Airport:

- The primary runway, Runway 03/21, is 1,430m long by 23m wide and located within a 90m wide and 1,550m long graded runway strip. Runway 03/21 has recently been resurfaced with asphalt. The published pavement strength rating allows for unrestricted operations by aircraft up to 5,700kg MTOW and 450kPa (65psi) tyre pressure;
- A secondary runway, Runway 09/27, is 919m long by 18m wide within a 90m wide and 1,039m long graded runway strip. The runway has a gravel surface, with sealed sections at each end.

#### Runway 03/21

Runway 03/21 currently meets the requirements of CASA MOS Part 139 for non-precision instrument operations by aeroplanes up to reference code 2B. It is provided with low intensity runway edge lights and has published RNAV(GNSS) instrument approach procedures to both ends.

The present length and width of the main runway were adopted in the 1990s to cater for the Saab 340B aircraft previously operated by Hazelton Airlines. Although this is a reference code 3C aircraft, by virtue of its outer main gear wheel span, the Civil Aviation Safety Authority (CASA) agreed at that time to its use of 23 metre wide runways in lieu of the normal 30 metre standard for this class.

Because of the limited strength sub base and condition of the original runway pavement, aircraft over 5,700 kg are required to operate subject to a pavement concession. The surface is generally in good condition although the runway has a very flat cross fall which retards runoff and allows water to soak into and weaken the underlying base course and subgrade. Runway shape correction and drainage works have been undertaken in the past to address this problem. The runway was resurfaced with stone mastic asphalt in early 2015.



The runway strip width is presently 90 metres which is adequate for a Code 2 runway served by non-precision GPS instrument approach procedures.

### **Runway 09/27**

This runway was designed for reference code 1B aircraft operating at maximum take-off weight and currently meets the requirements of CASA MOS Part 139 for non-instrument operations by aeroplanes up to reference code 1B. The runway is not equipped with lighting.

### **Glider strip**

A grassed strip formerly used for gliding is aligned parallel with, and to the west of, the main runway. The strip is used for advanced pilot training by the Aero Club and by the Helimed Service provider for pilot recurrent and emergency service crew training (rappelling and winching, etc). As such it is a useful resource and continues to be maintained.

## **2.2.2 TAXIWAYS**

Four (4) main taxiways provide access to the various runways and aircraft parking areas. These are indicated on **Figure B** and **Figure C** and have been designated as Taxiways A, B, C and D for the purposes of the Master Plan.

### **Taxiway A**

Taxiway A runs parallel to Runway 03/21 for its original length and provides access for all existing users to Runway 03/21. Two stub taxiways (A1 and A2) provide connections to the runway.

Following recent upgrade works, Taxiway A is generally suitable for Code B aeroplanes in accordance with CASA MOS Part 139, with a weight restriction of 4,000kg. The section between Taxiway A2 and the Mahindra Aerospace precinct has recently been provided with an asphalt surface. From Mahindra Aerospace north-east to the Runway 21 threshold the taxiway has a concrete surface.

Taxiway A allows aircraft access to and from the runway without backtracking on the runway itself, and so minimises delays to other aircraft. It also helps to overcome the sight distance deficiencies which exist on Runway 03/21. The southern portion of this taxiway also serves the private hangar precinct, the aviation turbine (AVTUR) refuelling installation, the Helimed apron and Mahindra Aerospace.

### **Taxiway B**

Taxiway B links the RPT apron with Runway 09/27. Taxiway B is sealed and suitable for Code C aeroplanes although weight limited to 5,700kg without a pavement concession.

### **Taxiway C**

A gravel taxiway provides a link from Runway 09/27 to Runway 03/21 and thence to the main apron area via Taxiway B.



### **Taxiway D**

Taxiway D runs parallel to the eastern half Runway 09/27 and provides access to the 09 threshold from Taxiway C. This taxiway is suitable for Code A aeroplanes and has a gravel surface.

### **Link Taxiway**

A short, sealed, taxiway links the 21 and 27 thresholds.

## **2.2.3 AIRCRAFT PARKING AREAS**

### **Terminal apron**

The terminal apron is very limited in size and at times becomes very congested. Parking is available for one aircraft up to SAAB 340 size on a self-manoeuvring position immediately in front of the terminal.

Taxi-through tie-down parking areas for up to nine Code A general aviation aircraft are also provided to the north.

### **Large Helicopter pad**

A concrete pad for parking and servicing large firebombing helicopters during the bushfire season is provided between Taxiway A and Runway 03/21. Permanent drainage is provided and temporary amenities for use by helicopter crew are supplied when the helicopter is in operation.

## **2.2.4 HANGAR PRECINCTS**

There are a number of existing hangar facilities at Latrobe Regional Airport. These have been divided into several precincts as shown in **Figure C** and the locations of individual facilities are identified on **Figure D**.

### **North-east commercial area**

A hangar precinct to the north east of the terminal incorporates five (5) hangars, including a large facility housing the Latrobe Flying Museum's collection of ex-military aircraft. Two other hangars are owned by the museum. A fourth is home to Latrobe Valley Airframes and Welding. Space within the fifth hangar is rented out to individual aircraft owners by its owner, a private individual.

Access to this precinct is off Taxiway A to the north east of the main apron. The area between the hangars meets Code B aircraft taxiway minimum dimensions.

### **Central hangar precinct**

A central hangar precinct immediately southwest of the terminal contains a number of hangars. These include:

- A conventional hangar owned by LVAC and divided in half. One half houses LVAC and private aircraft and the other half accommodates East Coast Aviation, an aircraft maintenance organisation, as a tenant to LVAC. East Coast Aviation intends to expand its lease to encompass the whole of this hangar and is also in discussion about constructing an adjoining structure to the western elevation adjacent to Taxiway A.



- A series of 10 hangar units, also owned by LVAC, each capable of housing one average sized light aircraft; and
- 24 other individual privately-owned hangars housing light aircraft (also referred to as the Private Hangar Precinct).

A few private hangar sites remain and LCC plans to expand the private hangars further to the southeast, towards Airfield Road.

#### **GippsAero / Mahindra Aerospace facilities**

Mahindra Aerospace, formerly Gippsland Aeronautics (GippsAero), occupies an area of approximately 2.3 hectares located to the southwest of the central hangar precinct. Facilities in this area include a reception and offices, fabrication workshop, canteen, assembly shop, paint bay and finishing hangar together with employee and visitor car parking. More information on Mahindra Aerospace is provided in **Section 4.4.2**

#### **Emergency services precinct**

South west of Mahindra Aerospace is a precinct incorporating bases for emergency services providers. Included here are:

- Helimed 1, Air Ambulance Victoria's regional base for helicopter aeromedical operations, which includes a helipad, hangar, offices and crew facilities; and
- The Department of Environment, Land, Water and Planning (DELWP – formerly DEPI) aerial fire-fighting base. DELWP has recently expanded its lease area to accommodate additional aircraft based at Latrobe during the bushfire season.

#### **Southern commercial area**

Two (2) hangars have been constructed so far in the Southern precinct which is directly south of the DELWP fire base. These are occupied by Osprey Aviation Services and Jelfor Pty Ltd. Access to the Southern precinct is via Taxiway A.

#### **Northern and Western development areas**

The areas to the north of Runway 09/27 and west of Runway 03/21 are largely undeveloped. A private residence and hangar facility occupied by Aerial Extras is located within the northern area. Much of the land within these areas is currently leased for grazing, which provides LCC with income.

### **2.2.5 REFUELLING FACILITIES**

#### **AvGas**

An aviation gasoline (AvGas) facility, which has a 9,000 litre capacity is located adjacent to the terminal apron near the Latrobe Valley Aero Club facilities. The area around the installation also serves the East Coast Aviation workshop and is the main entrance to the apron area for the fuel tanker and service vehicles.



### Jet A-1

An AVTUR (Jet A-1) refuelling facility, which has a 30,000 litre capacity, is located adjacent to the Mahindra Aerospace hangar. Jet A-1 is also dispensed by a mobile tanker.

### 2.2.6 NAVIGATION AIDS

There is a non-directional beacon (NDB) navigation aid in the northern corner of the airport site. The NDB has recently been relocated from the south-east of the GippsAero/Mahindra facilities in order to facilitate additional development in this area.

The NDB is listed on the Airservices Australia Back-up Navigation Network (BNN) as one of a series of national ground-based navigation aids that will be retained beyond 2016 in order to supplement the primary satellite-based en-route navigation system.

The airport has published instrument approach procedures to Runway 03 (with a minimum altitude of 850 feet) and Runway 21 (with a minimum altitude of 750 feet).

### 2.2.7 LANDSIDE DEVELOPMENT

A number of landside facilities exist and these are located in proximity to the terminal. These include:

- A terminal, originally used for RPT operations but which now sees only limited use for charter operations in terms of passenger facilitation. The terminal also houses the LCC airport management functions;
- The Latrobe Valley Aero Club facilities adjoining the terminal;
- A central, sealed and lit public car park with space for 40 vehicles.;
- A LCC residence maintenance compound which provides direct access to airside via the north east commercial area.
- The RAAF cadets 426 squadron facilities; and
- Training and other facilities for the State Emergency Services (SES) and Country Fire Authority (CFA), which are vital locations for the provision of emergency responses to the community.

### 2.2.8 ACCESS

There are three main access points to the airport located along Airfield Road and an access point to the northern part of the site, which currently leads to a dwelling and hangar. These access ways are considered to be appropriate for the efficient use of the airport and currently cause no traffic concerns.

The airport has an internal road network which provides access to each of the existing buildings.

A new road and vegetated buffer along the southern boundary of the site adjacent to the Village Caravan Park was proposed in the 2009 Master Plan, to provide appropriate separation from the proposed uses along this boundary. This is now designated as a conservation area.





### 2.2.9 VEGETATION

Open spaces exists in the form of a reserve along Airfield Road (where remnant vegetation exists). The 2009 Master Plan recommended this area should be retained as open space for recreational purposes.

## 2.3 CURRENT ACTIVITY

### 2.3.1 AIRPORT USERS

Latrobe Regional Airport currently services a region with a population of over 70,000 people. This catchment extends beyond the Latrobe City local government area and includes users from parts of Baw Baw Shire.

There are a number of existing tenants at the site which make use of its facilities. Current Latrobe Regional Airport tenants are indicated on **Figure C**. Aviation businesses operated by these tenants are described in **Section 4.4.2**.

### 2.3.2 AIRCRAFT MOVEMENTS

The Latrobe Regional Airport Master Plan 2009 does not make any analysis of existing aircraft movements, nor propose any forecasts of these into the future, against which to compare existing activity levels. This is perhaps because Latrobe City Council does not actively monitor aircraft movements for the purpose of aeronautical charging. The lack of historical records makes it difficult to establish the existing situation with respect to aircraft activity.

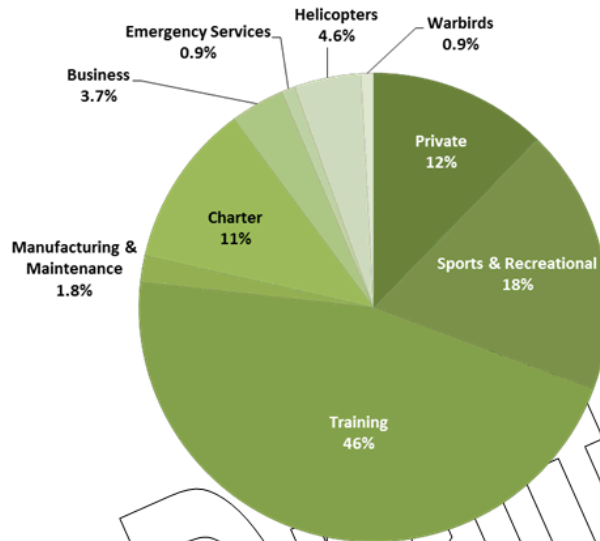
However, LCC recorded movements for a four-month period between November 2009 and February 2010. Annualising the results of this provides an estimated 29,970 movements per year. There is little reason to expect that movement levels have changed significantly since that time and airport management confirms that historically annual aircraft movements have remained relatively constant at between 25,000 and 30,000 per year.

Based on an assessment of the recorded aircraft movements, the approximate split between various categories of aircraft operation is shown in **Figure 1**. Operations are reasonably well distributed across a variety of purposes, with around 30% due to private, sports and recreational users, almost half devoted to flying training and the remainder composed of emergency services, helicopters (of which the majority are operated by the emergency services), charter, business and warbird activity from the Latrobe Flying Museum. It expected that aircraft manufacturing and maintenance operations have increased slightly in line with recent increases in production rates at Mahindra Aerospace, however other categories are considered to remain representative of the current situation.

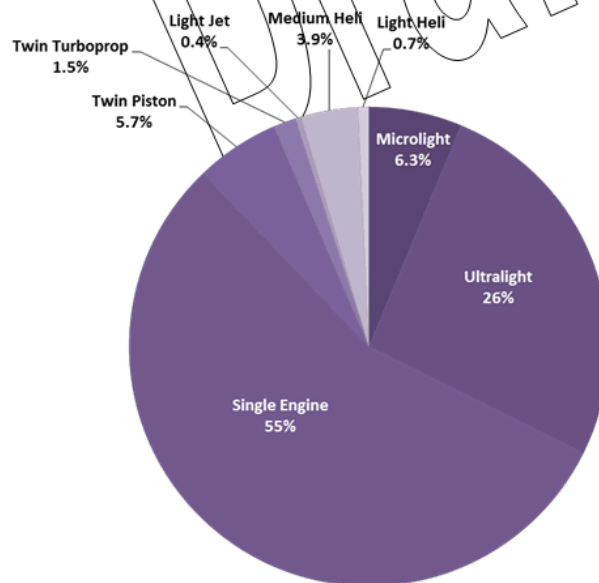
An estimation of the respective proportions of various aircraft types is given in **Figure 2**. The majority of movements are undertaken by single engine aeroplanes, including a substantial proportion of ultralight and microlight categories which are consistent with sports and recreational flying activities.



**Figure 1: Estimated Existing Aircraft Movements by Industry Sector**



**Figure 2: Estimated Existing Aircraft Movements by Aircraft Type**





### 3.0 PLANNING CONTEXT

This section provides context to the 2015 Latrobe Regional Airport Master Plan in terms of surrounding land uses, relevant strategic planning background documentation and key development constraints.

#### 3.1 SURROUNDING LAND USES

Historically, the land between Traralgon and Morwell had primarily been set aside as a non-urban area. However, recent planning undertaken by LCC anticipates a more diverse range of land uses in this corridor to complement the existing industrial and residential land uses. This section of the report identifies the existing surrounding land uses in the area.

##### 3.1.1 RURAL RESIDENTIAL AND FARMING

The land to the east of the site is dedicated to farming and rural living purposes or is vacant. Rural residential properties generally contain a single dwelling and sheds or other structures related to rural living. Land to the west is used primarily for farming purposes and similar development pressures exist. The importance of this Master Plan is increased with the need to control urban encroachment.

##### 3.1.2 PLANTATIONS

There are plantations located to the north and west of the subject site. The plantations present issues regarding fire management and should be considered in light of risks to any future development at, or near to, the site. The development guidelines for the northern part of the site should reflect fire risks.

##### 3.1.3 PAPER MILL

Australian Paper's Maryvale paper mill is located approximately 4 kilometres to the north-west of the Latrobe Regional Airport. According to the Environmental Protection Authority, paper mills have a buffer distance of 5 kilometres for sensitive uses to protect them from adverse amenity impacts such as noise, dust and smells. Currently, noise and pollutant modelling is more frequently used in the assessment of the appropriate distance for development from paper mills. The EPA's main concern is that residential subdivisions do not encroach any further into the buffer 'zone'. The applicable buffer and constraints are described under **Section 3.3.1**.

##### 3.1.4 LATROBE REGIONAL HOSPITAL

Latrobe Regional Hospital is located to the south of the airport. It is understood that the hospital has future plans for expansion, including possible multi-level buildings.

A Planning Scheme Amendment (C64) in December 2009 introduced planning controls for the protection of emergency medical service helicopter flight paths for the Hospital helipad. The amendment constrains development in an area at the airport to the north of the Village caravan



park. However, the extent of constraint over and above the Latrobe Regional Airport OLS in this area of the site is minimal.

Development in the southern parts of the airport site is overlain by height constraints, however in practical terms there are not likely to be restrictive in terms of the type of hangar development which might be expected at the airport.

### **3.1.5 TOURISM**

A motel and three caravan parks are located within the vicinity of the site. The caravan parks cater to both permanent and temporary residents. This accommodation is often used by families of hospital patients.

### **3.1.6 LOCAL BUSINESS**

There are several local businesses in the area surrounding the Latrobe Regional Airport. A nursery and local caravan sales yard are located to the south-east of the site. These businesses are well established in their location and are considered to be compatible with the current and future use of the Latrobe Regional Airport.

### **3.1.7 PRINCES HIGHWAY & GIPPSLAND RAILWAY**

The Princes Highway runs approximately 500m to the south of the airport, providing freeway standard road access to Melbourne. In the future, the proposed Traralgon bypass will deviate from the current highway alignment heading west.

The Gippsland railway, linking Traralgon and Morwell to Melbourne and Bairnsdale runs south of and adjacent to the Princes Highway.

## **3.2 RELEVANT PLANNING BACKGROUND**

### **3.2.1 LATROBE PLANNING SCHEME**

The Latrobe Planning Scheme, including the Municipal Strategic Statement, provides strategic context and planning controls for the Latrobe Regional Airport and its surrounds.

Latrobe Regional Airport Interim Land Use and Development Controls were put in place prior to the 2009 Master Plan, being originally introduced through planning scheme amendment C49 in April 2008. The controls applied to all land currently located within the flight circuit paths of the operational runways at Latrobe Regional Airport and served to ensure that a planning permit is triggered by any sensitive proposed developments in the vicinity of the airport. These interim controls were subsequently extended through further planning scheme amendments.

Recommendations were made in the 2009 Master Plan relating to how the Latrobe Planning Scheme can better assist to encourage the development and expansion of the airport whilst maintaining options for future operations. The 2009 Master Plan and its recommendations were intended to assist to ensure that an appropriate planning framework with strategic justification is put in place.



The Latrobe Planning Scheme currently contains the following provisions in relation to the Latrobe Regional Airport.

#### **State Planning Policy Framework**

The State Planning Policy Framework (SPPF) seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development in the interests of net community benefit and sustainable development.

Clause 11.05-1 of the Latrobe Planning Scheme determines Latrobe's Regional City status under the State Planning Policy Framework.

From an economic development perspective, the SPPF under Section 17 of the Latrobe Planning Scheme, identifies that:

- Planning is to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity; and
- Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.

Clause 18.04-2 Planning for airports sets out an objective to strengthen the role of Victoria's airports within the State's economic and transport infrastructure and protect their ongoing operation. Strategies to achieve this include:

- Protect airports from incompatible land-uses;
- Ensuring that in the planning of airports, land-use decisions are integrated, appropriate land-use buffers are in place and provision is made for associated businesses that service airports; and
- Ensuring the planning of airports identifies and encourages activities that complement the role of the airport and enables the operator to effectively develop the airport to be efficient and functional and contributes to the aviation needs of the State.

Under clause 18.04-3 Planning for airfields, the Latrobe Planning Scheme stipulates that planning for areas around all airfields will be such that:

- Any new use or development which could prejudice the safety or efficiency of an airfield is precluded;
- The detrimental effects of aircraft operations (such as noise) is taken into account in regulating and restricting the use and development of affected land; and
- Any new use or development which could prejudice future extensions to an existing airfield or aeronautical operations in accordance with an approved strategy or master plan for that airfield is precluded.



### Municipal Strategic Statement

The Latrobe Planning Scheme Municipal Strategic Statement links the elements of the Latrobe City 'Integrated Planning Framework', which consists of the following:

- **Latrobe 2021** provides the broad future directions for Latrobe. It is Council's most important strategic document which contains directions, objectives and indicators by which Council will monitor progress for the community as a whole;
- **Latrobe City Council Plan** which contains four-year strategies, indicators and a strategic resource plan that contributes to achieving the key objectives of the Latrobe 2021 Vision; and
- **Latrobe City Council Annual Business Plan and Budget** which identifies the allocation of resources to Latrobe City Council's services and projects, to be delivered over the financial year.

The Municipal Strategic Statement provides the objectives and strategies for land use planning in the municipality focussing on 'sustainability' and 'liveability'. It confirms the contribution of the Latrobe Regional Airport as follows:

*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 is currently being expanded to facilitate enhanced aeronautical development.*

When preparing amendments to this scheme and before making decisions about permit applications, planning and responsible authorities must take the Municipal Strategic Statement into account.

### Design and Development Overlay

Schedules 7 and 8 to the Design and Development Overlay (DDO7 and DDO8) were introduced under planning scheme amendment C26 in June 2012. DDO7 and DDO8 cover areas in the immediate vicinity of the runways at Latrobe Regional Airport and restrict the heights of buildings which do not require a permit.

DDO7 restricts buildings to a height of 55m AHD and DDO8 restricts buildings to a height of 65m AHD. These heights equate to approximately 0m and 10m above the aerodrome reference elevation<sup>1</sup>.

<sup>1</sup> The aerodrome reference elevation at Latrobe Regional Airport is approximately the same as the highest runway threshold elevation. However, this is also around 7m higher than the lowest runway threshold. As the obstacle limitation surfaces defined in CASA MOS Part 139 are defined for each runway based on the runway threshold elevation, this means that, the building height limits in DDO7 and DDO8 may not be sufficient to prevent intrusion of all applicable obstacle limitation surfaces.



### Airport Environs Overlay

Under the Victorian Planning Provisions (VPP) the purpose of the Airport Environs Overlay (AEO) is to identify areas which are or will be subject to high levels of aircraft noise, including areas where the use of land for uses sensitive to aircraft noise will need to be restricted.

The AEO within the Latrobe Planning Scheme is currently based on the 20 ANEF contour determined through the development of an Australian Noise Exposure Forecast (ANEF) which was prepared in 1998.

Any new building within the extent of the AEO must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2000, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia International Ltd.

Schedule 2 to the AEO identifies uses for which an application must be referred to the airport owner.

### Other relevant provisions

Other provisions of the Latrobe Planning Scheme which have particular relevance to Latrobe Regional Airport are:

- Planning scheme amendment C15 introduced the Public Acquisition Overlay to facilitate the expansion of the Latrobe Regional Airport, rezoned airport land so that development and land use is in accordance with a Special Use Zone and introduced a local policy relating to the airport. The local policy was reviewed and removed by planning scheme amendment C62 in January 2010; and
- Parts of the airport land are also affected by DDO5 and DDO6 which control the development of land within a 926m radius of the Latrobe Regional Hospital Helipad site, as described in **Section 3.1.4**.

### 3.2.2 LATROBE CITY COUNCIL PLAN 2013 – 2017

The Council Plan 2013-2017 outlines Latrobe City Council's vision and direction for the community over the period and will guide decision making and allocation of resources to deliver outcomes and services to the community.

The Council Plan identifies five Themes each with supporting Objectives which provide the framework for Strategic Directions. Under Theme 01 | Job Creation & Economic Sustainability, the Council Plan identifies the following Objectives:

- Actively pursue long term economic prosperity for Latrobe City, one of Victoria's four major regional cities;
- Actively pursue further diversification of business and industry in the municipality; and



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

The Latrobe Regional Airport Master Plan is identified as a key supporting plan to Theme 01. The other Themes identified in the Council Plan are:

- 02 | Appropriate, Affordable & Sustainable Facilities, Services & Recreation
- 03 | Efficient, Effective and Accountable Governance
- 04 | Advocacy for & Consultation with Our Community
- 05 | Planning for the Future

### 3.2.3 GIPPSLAND REGIONAL GROWTH PLAN

The *Gippsland Regional Growth Plan*, finalised in May 2014, is one of eight regional growth plans have been developed to provide broad direction for land use and development across regional Victoria.

The regional growth plans respond to directions established in the regional strategic plans that were prepared across regional Victoria between 2007 and 2010.

Having been developed in a partnership between local government and state agencies and authorities, regional growth plans reflect state and local government objectives and provide a long-term view of the region to 2041 and beyond.

Under Aviation and Manufacturing, the *Gippsland Regional Growth Plan* notes:

*“Gippsland has existing capabilities in advanced manufacturing and engineering services that support the mining and power generation sector, and specialised operations in agriculture, aircraft manufacturing and paper production. The region includes businesses with capabilities in steel fabrication, precision engineering and maintenance, packaging and plastics manufacturing that generate exports to both national and international markets.*

*Recent investment to redevelop defence facilities and the potential for expansion of RAAF operations in central Gippsland provide leverage opportunities for construction, manufacturing and technical service industries across Gippsland. The region’s capacity in aircraft manufacturing also presents opportunities to diversify into similar high technology enterprises that may grow through collaboration with the Latrobe Regional and West Sale airports as well as supporting the defence sector “*

The plan includes key strategies for future land use in this sector which:

- Facilitate opportunities within aviation-related industries;
- Develop further the region’s research and development profile;
- Increase Gippsland’s capacity in advanced manufacturing and engineering; and
- Support the continued presence and future growth of the defence sector in Gippsland.





### 3.2.4 GIPPSLAND FREIGHT STRATEGY

The *Gippsland Freight Strategy*, developed by the Gippsland Local Government Network in 2013 sets out a number of priority actions for addressing the freight task associated with the development of a coal derivative export industry along with intensification of primary industry.

Given the nature of the freight task, the strategy focusses on road, rail and port infrastructure requirements. However promoting the development of an air freight service out of Gippsland, subject to its commercial viability, is identified as Priority Action 14.

### 3.2.5 LATROBE CITY ECONOMIC SUSTAINABILITY STRATEGY 2011

The Latrobe City Economic Sustainability Strategy describes the framework by which Latrobe City Council will work with the community to cultivate sustainable economic development in Latrobe City and contribute to the delivery of the liveable, vibrant and enterprising region described in the Latrobe 2026 community vision.

Opportunities for investment and growth that bring new capital into the local economy, align with the strengths of Latrobe City, complement existing industries and serve to diversify the economy will be proactively identified and aggressively pursued. Prospects that will be targeted include: food processing, power generation; shared services; and education and training. With specific reference to the Latrobe Regional Airport, the strategy identifies the following actions:

- Attracting aviation related businesses including aerospace industries, adventure tourism firms, aviation training facilities and related service providers to establish or expand their operations on the expanding Latrobe Regional Airport site
- Developing the Latrobe Regional Airport as a concentrated Employment Zone.

The Latrobe Regional Airport Master Plan forms a key document directly referenced by the Economic Sustainability Strategy.

### 3.2.6 TRARALGON GROWTH AREAS REVIEW

Traralgon is the largest urban area in the Gippsland region and Latrobe City Council undertook the *Traralgon Growth Areas Review* (TGAR) in response to a number of critical factors which put pressure on the ability of Traralgon and surrounds to accommodate future development. The TGAR was adopted by Council in 2014.

The purpose of the TGAR is to identify all future urban development growth options in and around Traralgon to ensure sufficient land is set aside for long term residential, commercial and industrial requirements as a result of future population, housing, retail and employment demands.

The TGAR acknowledges the importance of Latrobe Regional Airport as a major regional asset with considerable existing investment and recommends that consideration be given to the long term needs and opportunities of the aerodrome in a broader strategic context, including the land requirements for the airport.



### Population Forecast

The TGAR adopts population growth forecasts of between 0.97% (low-growth case) and 1.32% (high-growth case) for the period to 2051, derived from an assessment of various population growth forecasts developed for Latrobe City and Traralgon over the preceding few years. The medium-growth case assumes 1.15% growth in population per year.

### Traralgon West Structure Plan

One of the key outputs of TGAR is the *Traralgon West Structure Plan* which provides additional detail and direction regarding future land use and planning of the Traralgon-Morwell corridor, within which Latrobe Regional Airport is situated. A copy is included for reference at **Appendix B**.

The proposed *Traralgon West Structure Plan* presents a number of opportunities which are relevant to the potential development at Latrobe Regional Airport. These include:

- A proposed train station on the Gippsland Railway at the Airfield Road/Princes Highway intersection;
- A neighbourhood activity centre at the Airfield Road/Princes Highway intersection;
- Indicative active open space to support the residential development envisaged east of Airfield Road;
- The Traralgon – Morwell shared path adjacent to the northern and western boundaries of the airport; and
- An indicative bus stop on Airfield Road within close proximity to the terminal and north-east commercial area.

To the south of the airport site, the *Traralgon West Structure Plan* identifies the land immediately adjoining the hospital and south of the airport as an 'employment investigation area', to be developed with employment generating uses directly related to Latrobe Regional Airport or the hospital to support the Regional City of Latrobe. The plan identifies that further work in the form of a development plan or master plan is required in relation to this area. This should include discussions with the Latrobe Regional Airport Board, Latrobe Regional Hospital and relevant landowners, to clarify the best future use for the land as well as finalisation of master plans for both key facilities. As such, this Latrobe Regional Airport Master Plan 2015 should be considered in any land use decisions affecting this area.

### 3.2.7 LATROBE VALLEY INDUSTRY AND EMPLOYMENT ROADMAP

The *Latrobe Valley Industry and Employment Roadmap* is the Victorian Government's long-term plan to assist the Latrobe Valley to grow and diversify its industry base. The Roadmap was developed in response to a need for the region to transition its economy as a result of a national price on carbon. It sets out a strategic framework for guiding future investment and collaboration in response to locally developed advice for addressing the challenges facing the region's economy.



The Roadmap recognises that aviation and aerospace are well established capabilities within the region and that Mahindra Aerospace activities supported by Latrobe Regional Airport are an important element of this.

Federation University (formerly Monash University's Gippsland Campus) is also identified in the Roadmap as well placed to continue as a major site of research in the region with a strategy of developing education and training courses in areas of expertise linked to local need.

The Roadmap framework is based around seven Strategic Directions. Strategic Direction Two (Strengthening the Workforce) has direct relevance to the Latrobe Regional Airport Master Plan.

### 3.2.8 PLAN MELBOURNE

In May 2014 the Victorian Government released *Plan Melbourne*, intended to guide Melbourne's housing, commercial and industrial development through to 2050 and seeking to integrate long-term land use, infrastructure and transport planning. The plan identifies that access to Melbourne Airport from the east and south-east is becoming increasingly difficult.

Under Initiative 1.5.6 of *Plan Melbourne* the government has committed to plan for a third airport in Melbourne's south-east. Although the realisation of a third airport is seen only as a possibility even in the long term, it would serve one third of Victoria's population including the 300,000 residents of Gippsland, would have the benefit of good road connections and would be an important driver for significant job creation. The Shire of Cardinia has identified locations between Koo Wee Rup and Lang Lang as potential sites, and the state government has undertaken to confirm a preferred site in partnership with local governments as a first step in the process.

## 3.3 DEVELOPMENT CONSTRAINTS

### 3.3.1 URBAN AMENITY BUFFER

Land on which the Australian Paper Maryvale pulp mill is located is zoned Industrial 2 Zone. There is a requirement in the Latrobe Planning Scheme for the establishment of a nominal 5km buffer around the uses occurring on the site. This nominal buffer can be adjusted on the basis of more location specific modelling and assessment.

Modelling has been undertaken for the Australian Paper mill by GHD and the resultant buffer is shown in both the TGAR and the Gippsland Regional Growth Plan. Whilst this buffer is not included in the Latrobe Planning Scheme as an overlay control, it is considered a constraint to further residential development or intensification in the area without the agreement of both Australian Paper and the EPA. The buffer would not be a constraint for other industrial land uses.

The urban amenity buffer is shown on **Figure D** and affects the northern and western portion of the Latrobe Regional Airport land, limiting the uses available in the northern and western development areas. It is however noted that the buffer is directly linked to the processes undertaken at the paper mill and there is, therefore, the possibility that the location may change or that restrictions may be adjusted in the future should those processes change.



### 3.3.2 GIPPSLAND WATER FACILITY BUFFER

A Gippsland Water emergency storage facility is located adjacent the northern boundary of the site, on the opposite side of Old Melbourne Road. A buffer to this facility also covers approximately a third of the northern portion of the site, as identified within the *Traralgon West Structure Plan* and indicated on **Figure D**.

There is some ambiguity regarding the interpretation of the application of the buffer between Gippsland Water and the Latrobe Regional Airport. Although this has the potential to limit any future sensitive uses (such as the airpark units), the buffer is currently contained within the urban amenity buffer associated with the Australian Paper Maryvale pulp mill.

### 3.3.3 GAS PIPELINE EASEMENT

A gas pipeline runs adjacent the western and northern boundary of the airport, within the airport fence. An easement approximately 50m in width, based on the applicable Design and Development Overlay Schedule 1 (DDO1), accommodates the pipeline. Development within the confines of DDO1 is subject to restrictions to ensure that buildings and works, particularly buildings designed to accommodate people, are sufficiently separated from high pressure pipelines for safety reasons.

For the purposes of this Master Plan, development within DDO1 is generally avoided. However before further detailed design is undertaken, further investigations into the implications of this pipeline should be considered, particularly with regards to access.

### 3.3.4 BIODIVERSITY ASSETS

A Native Vegetation Assessment was prepared by Indigenous Land Design Management in May 2008. This assessment provides a comprehensive native vegetation survey within Latrobe Regional Airport land. This assessment looked at the potential impacts of the previous Airport Master Plan. It provided a map that shows the location of remnant patch areas (habitat zones) and indigenous trees that are identified to be protected. The remnant patch areas identified across the study site should continue to provide the appropriate guidance for the provision of offsets as conditions of planning permits. This assessment was utilised in the 2009 Master Plan to identify areas of vegetation that should be retained. As far as possible, the proposed development avoids these areas.

The northern development area is considered appropriate for future development. No remnant patch areas were found here and the remnant indigenous tree on the northern boundary is able to be protected.

### 3.3.5 CULTURAL AND HERITAGE

It is understood that neither indigenous nor built heritage sites exist within the Airport boundary.



## 4.0 STRATEGIC DIRECTION

### 4.1 VISION

The 2009 Master Plan incorporated a vision for the Latrobe Regional Airport. An important element of this 2015 Latrobe Regional Airport Master Plan is to test and adjust this vision as necessary to ensure it continues to reflect the community's aspirations for this important asset. During a visioning workshop at the airport in December 2014, the following points were identified as important components of the vision:

- To promote development and expansion;
- Regionally significant;
- Provide a hub for aviation and employment;
- Add economic and social benefit; and
- Maintain options for passenger services.

The adopted vision for the Latrobe Regional Airport to be reflected in the 2015 Master Plan encapsulates all of the above. The vision statement itself remains essentially identical to that developed in the 2009. It is:

*To promote the development and expansion of the Latrobe Regional Airport as a regionally significant airport providing a hub for aviation services and employment thereby adding economic and social benefit to the region, whilst maintaining options for future passenger transport services.*

Further detail on particular opportunities to fulfil this vision, including the viability of various forms of passenger operations, is provided in **Sections 4.3 through 4.5** below.

### 4.2 STAKEHOLDER CONSULTATION

#### 4.2.1 CONSULTATION SCHEDULE

In line with Council's Community Engagement Strategy consultation was undertaken with a range of stakeholders to identify key issues and opportunities. This consultation targeted key internal and external stakeholders, existing airport tenants and users, landowners in the surrounding area, and other interested organisations to provide early input to the development of the Draft Latrobe Regional Airport Master Plan 2015.

Consultations with airport-based stakeholders were undertaken in person at Latrobe Regional Airport either individually or in group sessions. Other organisations were contacted by email.

A full schedule of consultation achieved throughout the early consultation phase, which ran from March to October 2014, is provided at **Appendix C**. Key feedback from this consultation is summarised below.



#### 4.2.2 KEY CONSULTATION FEEDBACK

- 24-hours automated weather information service (AWIS) is essential for a number of operators and in particular Air Ambulance Victoria.
- Accessibility of the current AvGas fuel bowser location in proximity to the maintenance workshop and public areas is not good.
- Adequate provision should be made for growth in helicopter operators, with adequate definition of helicopter landing site locations and appropriate separation of fixed-wing and rotary-wing operations as far as practicable.
- Multiple access points to airport development is confusing and a number of visitors can easily get lost when the location they seek is not within the terminal area. It will be important to address this through clear wayfinding and obvious road access routes.
- Although regular public transport services are generally considered unlikely, some form of low-capacity commuter service to Melbourne along with occasional larger aircraft charters for local events, remains an aspiration and must be provided for.
- There is a view that the vision for the airport may need to change in order to enable the Master Plan requirements to get incorporated into the planning scheme, and that the previous LRAB commitment to a residential airpark may have been a reason for previous failure to ensure adequate provisions for airport safeguarding in the planning scheme previously.
- Emergency services will continue to be an important and expanding role which the airport must facilitate.
- The airport and Council must direct the focus outwardly to convince people and businesses the Latrobe Valley is a great place to locate.
- The need for and value of operational efficiency should not be underestimated, versus the number of lease sites provided.
- It is important that LCC continues to promote and raise awareness of the value of the airport within the wider community, to ensure that the importance of this asset and the full extent of benefits to the region in terms of employment and the economy are understood.

#### 4.3 AVIATION TRENDS AND OPPORTUNITIES

There are a number of broad trends in the aviation industry nationally and globally which can be expected to influence the range of opportunities available for aviation businesses at regional airports such as Latrobe. The key trends considered most relevant to regional locations like Latrobe Regional Airport are outlined in the following sub-sections.

##### 4.3.1 REGIONAL AIR SERVICES

Regional air services have, in general terms, experienced a trend towards a reduction in the number of routes and destinations served, but with a trend toward larger aircraft types which is helping to drive passenger numbers on those routes which have retained services through more favourable aircraft operating economics leading to more affordable fares.



The major regional carriers (Regional Express, Virgin Australia Regional Airlines, and QantasLink) are now unlikely to perceive a route as viable where there is annual demand of less than 30,000 passengers per year.

This trend is related to the fact that aircraft types in the sub 50-seat category are now all out of production. An increasingly ageing fleet capable of serving ports with very low annual traffic is likely to contribute to a further reduction in viability of thin regional markets into the future. Despite widespread calls for new, modern and efficient aircraft suitable of serving the 19-seat market, this segment of the regional aircraft market is still under-provided.

#### 4.3.2 AIRLINE PERSONNEL TRAINING

The expected growth in global air travel demand is fuelling demand for unprecedented expansion of the airline fleet. Boeing forecasts an increase of 21,270 aircraft in the global fleet over the next 20 years whereas Airbus suggests 31,000 will be required. A large proportion of these aircraft will be destined for airlines based in developing markets such as the Asia-Pacific region. These aircraft will, typically, need 5-6 crews (comprising both flight and cabin personnel) to operate each on an ongoing basis.

Australia is well placed to provide airline personnel training, as a pioneer of aviation and an acknowledged global leader in many aspects of the industry. Generally favourable meteorological conditions and relatively uncongested airspace mean that pilot training in particular is served by a number of Australian-based providers already, with more seeking to enter the market.

Flight training for commercial airlines is gravitating towards an academy model, focussed around high-intensity flying operations combined with intensive study. Academies generally seek to operate in the 100-200 students per year range to maximise efficiencies in what is becoming an extremely cost-competitive market. Such academies need easy access to international gateways for cadets, educational linkages to provide basic English skills, and airport facilities which are compatible with high-levels of training operations including large volumes of touch-and-go circuits. Ideally, such airports will be dedicated to flight training or at least prioritise this activity over other aviation uses. As such, commercial pilot training is largely confined to the major metropolitan general aviation airports, with Moorabbin Airport in Melbourne establishing itself as Australia's premier flight training facility. This however presents opportunities for regional aerodromes to serve the pilot training needs of individuals in a less congested environment and where a more personal service can be offered.

Cabin crew training also offers an opportunity although there is a lesser requirement for this to be undertaken outside of an airline's home country. Nor is it essential that training facilities for cabin crew be located on-airport. Similar accessibility requirements apply as airlines seek to minimise the time spent training in what is a high-turnover industry where costs must be minimised.



### 4.3.3 AIR FREIGHT

The economics of regional air freight services suffer from the same challenges as regional passenger services, although to a lesser extent. The freight sector has always tended to operate older aircraft types which have reached the end of their economic passenger-service life and this sector is still relatively well provided for in terms of freight operations.

The establishment of direct international freight services from regional locations is often considered to be a possibility. However, the vast majority of air freight is carried on passenger aircraft where imbalances in directional flows of passengers and freight can be used to offset each other. The dedicated air freighter segment requires a balance of inbound and outbound freight in order to make services economically viable. In markets with good highway access to international gateways where freight can be carried on passenger services or consolidated to feed demand for larger freighter operations, air freight activity is likely to be limited.

### 4.3.4 AIRCRAFT MAINTENANCE

With growth in the airline fleet comes an increasing need for aircraft maintenance, repair and overhaul (MRO). Despite trends for this activity to be undertaken outside Australia, the country retains a strong presence in the MRO sector. A number of regional ports have been successful in establishing and expanding maintenance facilities to serve regional aircraft markets, including the Regional Express maintenance facility and Wagga Wagga and QantasLink engineering base at Tamworth. However, these locations benefit from being on the network of the respective airlines and so ferry costs and down-time are minimised. Efficiency is the key to remaining competitive with offshore providers where labour costs may be substantially lower than in Australia.

### 4.3.5 AEROSPACE TRAINING & EDUCATION

The aviation industry continues to face significant skills shortages in aircraft maintenance, repair and overhaul (MRO) sectors. This includes airframe, powerplant and internal fit-out. The avionics field in particular is suffering from skills shortages as new technology rolls out across the general aviation fleet at an increasing rate. There is an urgent need to provide training and education in this sector, which has not to date been as responsive to the challenge as the pilot training sector has. However, a number of initiatives are beginning to emerge involving partnership between regional airports, aircraft maintenance providers and technical training institutions such as TAFE.

### 4.3.6 HELICOPTERS

The rotary-wing sector has been one of the fastest growing in Australia for much of the last decade. The sector is diverse, but is highly active in important areas such as emergency services (including air ambulance, firefighting, surf lifesaving and police), search and rescue, agricultural, charter and pleasure flights.

The industry requires a support and service network covering all of the same requirements as the fixed-wing sector including manufacture and assembly, maintenance, pilot training, and crew





training and currency in specialist aspects such as winching and rappelling and night vision operations. Helicopters are particularly versatile in the urban metropolitan environment and so regional airports such as Latrobe which are proximate to major cities offer good opportunities to service requirements such as crew training and maintenance.

#### **4.3.7 UNMANNED AERIAL VEHICLES**

One of the fastest growing sectors of the industry at present is the manufacture and operation of unmanned aerial vehicles (UAVs)<sup>2</sup>. UAVs have primarily been utilised in military or special operations, but are increasingly used in a growing number of civil roles generally involving aerial photography or surveillance of some kind. Accordingly UAVs come in a variety of sizes dependent on use, but are typically much smaller than piloted aircraft.

Operationally, a great degree of care is required in operating UAVs in the vicinity of other aircraft, which results in obvious potential conflicts in close proximity to aerodromes. In the context of Latrobe, however, there may be some opportunities associated with UAV development, prototyping and manufacturing which could offer synergies with existing activities in similar fields. It would be imperative, however, that safety issues associated with UAV operation and interaction with piloted aircraft be appropriately managed.

### **4.4 OPPORTUNITIES REFINEMENT**

#### **4.4.1 REGIONAL ECONOMIC CONTEXT**

The largest industries in the Latrobe Valley by number of businesses are classified as property and business services (21%), construction (20%) and retail trade (14%). This is consistent with the trend for Victoria as a whole. Agriculture, forestry and fishing are also significant components of the local economy, comprising 12% of the local economic base.

A major strength of the region is the extraction of coal resources for the generation of electricity, with major power generators in the Latrobe Valley representing 85% of the total electricity generated in Victoria. Latrobe City is also the location of a number of significant manufacturing facilities, many of which are associated with the region's electricity generation and coal mining activity. It is anticipated that technological advances will assist in securing this industry over the long term, although the region remains focussed on diversifying its economic base.

Key economic drivers over the period of the Master Plan are expected to revolve around diversification of the economy generally, 'cleaner' coal technology production and use, advanced manufacturing, and the attraction/retention of specialist skills. In terms of employment, Latrobe Regional Hospital and Australian Paper are expected to be important job providers while the power generation industry reduces its workforce.

<sup>2</sup> UAVs are commonly referred to as 'drones' and also known as unpiloted aerial vehicles or remotely piloted vehicles.



#### 4.4.2 EXISTING AIRPORT ACTIVITIES

Existing businesses operating at Latrobe Regional Airport are indicated on **Figure C**. The activities encompassed by these include the following areas.

##### **Aircraft manufacturing**

GippsAero has designed and manufactured aircraft since the 1970s and been based in the Latrobe Valley since its formation as Gippsland Aeronautics in 1977. GippsAero's design and manufacturing capabilities are unique in Australia and this provides Latrobe Regional Airport with Australia's only commercial aircraft manufacturing facility.

Building on the development of the GA200 agricultural aircraft in the early 1990s, GippsAero's flagship aircraft is the GA8 Airvan. The Airvan is an eight-seat, high-wing, single-engine utility aircraft capable of operating on short, low-cost, semi-prepared airstrips that has proven ideal for many Australian operators in remote areas. Since its first delivery in 2000, the Airvan has been exported around the world and is used throughout Australia. With the success of the GA8, GippsAero is developing the GA10 (a stretched version of the GA8), and the GA18 – a twin turbo-prop commuter and multi-role aircraft.

The Airvan is an Australian success story and one of the few new aircraft types fulfilling low-capacity passenger sector needs.

##### **Charter services**

Both the Latrobe Valley Aero Club and Aerial Extras offer aircraft hire and charter services currently. However, there is no operator specifically serving a passenger charter market or freight operation.

##### **Aircraft maintenance**

East Coast Aviation offers aircraft maintenance for about 120 aeroplanes across the area from Flinders Island to Northern NSW. Services cover airframes and engines and the company is considering adding an avionics bay. Workforce has grown to seven employees in total. Diversification opportunities include the supply of aircraft parts to private individuals

##### **Test and ferry**

Aerial Extras offers test flying and ferry services. The company is widely known and respected for undertaking tasks which are beyond the capability or desire of other operators. The presence of such a company is seen as an asset for Latrobe Regional Airport which could provide opportunities for expansion of associated businesses, including maintenance providers and prototype development.

##### **Emergency Services**

The Department of Land, Water, Environment and Planning (DELWP) operates a minimum of 2 and up to 6 fixed wing fire-bombing aircraft from Latrobe Regional Airport during each bushfire



season. A dedicated fire base facility has been established to accommodate this, in addition to temporary operations which occur in the area between Taxiway A and Runway 03/21.

The DELWP fire base at Latrobe Regional Airport sets the benchmark for DELWP aerial firefighting bases across Victoria. DELWP has recently expanded its lease area to accommodate a mixture of fixed and rotary-wing operations including Bell JetRanger and Eurocopter Squirrel aerial attack platforms.

40-50 personnel are domiciled locally during the bushfire season. This includes a number of people on duty continually at the airport on a 15-30 minute call-out basis. During winter the facilities are utilised by the CFA or engaged in maintenance activities and infrastructure upgrades.

#### **Flying Training**

There are currently three flying training providers at Latrobe Regional Airport. Osprey Aviation Services and Aerial Extras offer training in accordance with Recreational Aviation Australia (RAAus) requirements.

The Latrobe Valley Aero Club provides Private Pilots Licence, Commercial Pilots Licence and Multi-engine command rating as well as recreational pilot training.

#### **Warbirds and historical aircraft**

Latrobe Flying Museum houses a collection of historical aircraft and operational warbirds.

#### **4.4.3 OTHER AIRPORTS**

There are a number of other airports in the region. Whilst in some senses these will be competing for the same opportunities as Latrobe Regional Airport, an understanding of the current activities will assist in identifying the relevant points of difference.

#### **Moorabbin**

Moorabbin Airport in Victoria is Australia's largest centre for commercial flight training for both fixed and rotary wing aircraft with training-related movements accounting for a large majority of all aviation activity.

More than 200 businesses (50 aviation-related) operate within the airport land, which is leased and operated by Moorabbin Airport Corporation from the Commonwealth under the *Airports Act 1996*.

Aviation-related activities and businesses include maintenance, charter, freight, recreational flying, and aerial work (aerial photography and surveying). Emergency services, such as the Royal Flying Doctor and Air Ambulance are also based at Moorabbin.

As well as aviation, on-airport land uses include light industrial, manufacturing, logistics, commercial and retail. Non-aviation businesses that operate within the airport land include: Direct Factory Outlets, Kensington Central Plaza and Chifley Business Park. The Australian National Aviation Museum and the Royal Victorian Aero Club are also based at the airport, which is surrounded by a mix of industrial, commercial, business and residential land use.



Facilities at Moorabbin include two intersecting pairs of parallel runways, two helipads, and an air traffic control tower which enable it to serve several flight training organisations.

The airport currently operates at a level of almost 250,000 movements per annum and it is predicted that there is a long-term capacity of 500,000 movements.

### **West Sale**

The West Sale Airport serves as a regional facility for commercial, recreational and military purposes. It is predominantly utilised by the oil and gas industry, emergency services such as the air ambulance, commercial charter operators, private business, recreational flying and RAAF flight training. Facilities at West Sale Airport include fuelling services, an airport terminal building that provides car parking, public phones and a waiting room. The airport does not charge any landing fees.

There are a limited number of business and other organisations, including a TAFE (Federation Training) automotive engineering training facility, an accommodation and aviation-oriented business and an oil and gas safety training facility.

### **Bairnsdale**

Bairnsdale Airport is a relatively small aerodrome, but it supports a number of commercial aviation enterprises including corporate charters, aerial firefighting, emergency medical services, recreational flying and a courier service.

Support facilities include fuelling services and aircraft and fleet maintenance. The airport is open 24 hours and does not charge a landing fee. Both of these incentives are designed to attract business to the airport.

### **Tyabb**

Tyabb Airport, on the Mornington Peninsula, is a privately owned, unlicensed airfield. The owner-operator is the Peninsula Aero Club, which provides a flight school, charter flights and joy flights. The airport also offers aircraft engineering services and support for emergency services.

The airport attracts aviation tourists and other visitors through the Tyabb Air Show, which is held every two years.

### **Leongatha**

Leongatha Airport is the only commercial airfield within the South Gippsland Shire. A flying school operates from the airport and other businesses include four car rental agencies. An air services company offers pilot training and aircraft charter and hire. The airport site was recently subdivided to facilitate future aviation-related development opportunities.

## **4.4.4 SWOT ASSESSMENT**

A SWOT (Strengths, Weaknesses, Opportunities, Threats) assessment was undertaken with the Latrobe Regional Airport Board on 7 October 2014. The assessment considered general aspects of



the region as they relate to opportunities at Latrobe Regional Airport, as well as specific airport features. The key points identified during the assessment are indicated in **Table 1**.

**Table 1: SWOT Assessment**

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> <li>▪ <b>Proximity to Melbourne's</b> population base as this gravitates to the south east of the metropolitan area</li> <li>▪ <b>Central location</b> to attractions including beaches, the snow, and a major capital city (with associated amenity)</li> <li>▪ Recognition from government as one of the <b>identified regional centres</b> in Victoria</li> <li>▪ General <b>population growth</b> +1% (in excess of other regional centres)</li> <li>▪ Excellent <b>health facilities</b></li> <li>▪ <b>Accessibility</b></li> <li>▪ Friendly people and a <b>strong sense of community</b></li> <li>▪ Rich in <b>natural resources</b> including productive agricultural land</li> <li>▪ A <b>well-developed airport with respected businesses</b> such as GippsAero and Helimed.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Image</b> of the Latrobe Valley has a number of negative perceptions including:               <ul style="list-style-type: none"> <li>- "Cancer cluster"</li> <li>- Mining accidents</li> <li>- Industrial &amp; polluted area</li> <li>- Heavy union influence on industrial relations</li> <li>- Colloquial</li> </ul> </li> <li>▪ <b>Low connectivity</b> between the residential and employment areas of the Morwell, Moe and Traralgon, for pedestrians especially</li> <li>▪ An <b>ageing workforce</b> and <b>lack of diversity</b> in the skills base</li> <li>▪ <b>Difficulty retaining skills</b> in the region or attracting them to relocate from elsewhere</li> <li>▪ <b>Limited public transport</b> connections to/and from Melbourne at times suited to a 'reverse-commute'</li> <li>▪ <b>A lack of community engagement</b></li> </ul>
OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> <li>▪ <b>Population growth</b></li> <li>▪ <b>Recreation infrastructure</b></li> <li>▪ A <b>Gippsland Aviation Hub</b>, in conjunction with military pilot training at RAAF Base East Sale</li> <li>▪ <b>Lifestyle</b></li> <li>▪ <b>Tourism</b></li> <li>▪ Airport businesses already provide over 200 <b>jobs</b></li> <li>▪ <b>Education</b> including flying training</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Land use pressures</b> including the need to maintain compatible land uses, requirements for additional residential development and the need for public acceptance of the airport and all associated activities</li> <li>▪ Incompatibility of long-term initiatives with <b>Government policy timeframes</b> based on an electoral cycle</li> <li>▪ <b>Relocation of the freeway</b> (through the proposed Traralgon Bypass) risks disconnecting it from the town.</li> </ul>

#### 4.5 FUTURE GROWTH AND BUSINESS DEVELOPMENT OPPORTUNITIES

Taking into account the vision established for Latrobe Regional Airport, feedback from the stakeholder consultation process, consideration of global and national trends in the aviation industry, the regional economic context, current airport operations and the assessment of strengths, weaknesses, opportunities and threats presented above, a refined and prioritised list of possible opportunities for aviation business growth was developed for further consideration.



The list includes:

- Regional aerospace manufacturing hub;
- Aerospace education and training;
- Aircraft maintenance;
- Emergency services;
- Private aircraft storage hangars;
- Aviation-related events;
- Helicopters;
- Residential Airpark
- Pilot training; and
- Passenger services.

These opportunities are discussed in the following sub-sections.

#### **4.5.1 REGIONAL AEROSPACE MANUFACTURING HUB**

Existing Latrobe Regional Airport tenant Mahindra Aerospace is Australia's only commercial aircraft manufacturer and currently employs approximately 200 personnel on airport. Production of the GA-8 at Latrobe has increased to between 1 – 2 aircraft per month. Over the next five years Mahindra is looking to achieve a sustainable production rate of 30 per year for this aircraft whilst increasing production of the GA-10 from 3 to 30 per year also. In the longer term, production rates of 70-80 aircraft per year in 10 years are conceivable.

Future expansion of Mahindra activities at Latrobe needs to be considered in the context of the comparative cost-effectiveness of offshore manufacturing activities. Development of new aircraft types is also necessarily subject to market feasibility and business case development, and there is the possibility that global aircraft manufacturers are waking up to the gap in the 18- to 20-seat market with a revamp of the DHC6 Twin Otter expected. For Mahindra the GA-18 concept will need to be evaluated in this light.

Regardless of the nature of activity, it is considered a priority that Mahindra Aerospace operations remain at Latrobe in the long term. The presence of an aircraft development and manufacturing capability offers a number of unique opportunities which could combine to create a regional aerospace manufacturing hub. Such a hub could incorporate a number of related activities consistent with state and local government's stated employment priorities for the Latrobe Valley region, including:

- Component manufacture;
- Aircraft parts storage/warehousing and supply;
- Advanced materials and manufacturing; and



- Research and development;

The development of such a hub will inevitably be an incremental process. Although a number of the elements are in place within the region, finding the right balance and application of these supporting activities to the aerospace sector and the appropriate level of facilities to locate at Latrobe Regional Airport will require effort. Whilst there are clearly synergies in having some of Mahindra's onshore providers located on-site, as these suppliers' have other customers in different industries there would need to be other benefits realisable to them by relocating. Nonetheless Mahindra is keen to work with LCC to identify which onshore providers might locate adjacent to its operations.

A key enabler in such a concept is for aerospace engineers to be attracted to Latrobe Valley as a place to live.

#### 4.5.2 AEROSPACE EDUCATION AND TRAINING

As discussed in **Section 4.3.4**, there are major industry-wide skills shortages across all forms of aircraft engineering. Skills shortages in aircraft maintenance sectors lend themselves naturally to education and training opportunities. Few airports have, so far, been successful at establishing effective campuses which address apprenticeship and skills development requirements with a capability to provide aircraft maintenance services.

As indicated within the *Latrobe City Economic Sustainability Strategy 2011*, Latrobe City is the educational centre for Gippsland, offering some of the finest educational facilities in regional Australia. Due to a strong relationship between education providers and industry, Latrobe City has been a leader in vocational education and industry training for many years.

The opportunities to channel the existing education and training infrastructure towards the aerospace industry's skills gaps would appear to be significant.

#### 4.5.3 AIRCRAFT MAINTENANCE

If Latrobe Regional Airport can establish an education and training capability, then clear synergies exist to attract aircraft maintenance, repair and overhaul organisations to the airport. These MRO facilities would be able to draw on the available pool of apprentice talent to add to experienced licensed aircraft engineer resources, which would develop in the region over time if the challenges of retaining skills in the area can be overcome at a municipal level.

Avionics in particular offers an opportunity due to particularly acute skills shortages combined with increased reliance on new technologies and roll-out of computer-based systems to airframes.

#### 4.5.4 EMERGENCY SERVICES

There remains potential for future expansion of emergency services activities at Latrobe Regional Airport. DELWP has indicated that despite recent expansion, aerial firefighting aircraft numbers could conceivably double in the 5 – 10 year timeframe.



The established presence of DELWP and Helimed 1, together with a clear commitment to ensuring these are model facilities for regional areas, and the strategic regional importance of the airport as a regional emergency services hub for Gippsland, mean that other service providers such as training and maintenance providers could be attracted to the airport in the future.

It is important to recognise the importance of the airport and its support to the emergency services in the region and to protect and enhance the emergency services precinct at the site.

#### 4.5.5 PRIVATE AIRCRAFT STORAGE HANGARS

Uptake of the recently developed private hangar precinct has been strong, with a majority of the existing sites available having been let. Growth in this opportunity is considered to remain solid, leading to demand for expansion of the private hangar precinct. This might include a combination of individual hangars along with further common-use facilities which might serve a more temporary need, through consolidation of hangar space and sub-letting individual aircraft parking on a short-term (yearly, monthly or weekly) basis. Nonetheless, the requirement for private aircraft storage is driven primarily by the local population. Based purely on expected population growth rates an increase in demand for hangar sites of 20% – 35% of the current demand is expected.

#### 4.5.6 AVIATION-RELATED EVENTS

Latrobe City Council has an events-focussed strategy which includes activities such as motor sports and timber industry conferences. It is considered that some of these events could be used to raise the profile of the airport within the community. Previous events including musical performances have been held at the airport and this could be an opportunity for similar activities in the future. Possibilities include:

- Aviation fly-ins for the recreational aviation community, which would require parking for large numbers of itinerant light aircraft;
- Sporting-related activities such as Auskick or other youth development promotions, with the possibility that ambassadors could arrive and depart by charter aircraft;
- Musical or other cultural events, with the performers arriving and departing by air;
- Air displays of an aerobatic, warbird or other aviation heritage nature;
- Mahindra/GippsAero promotions; and
- Aviation trade events.

#### 4.5.7 HELICOPTERS

Given the growth in the helicopter sector generally, and the suitability of the facilities at Latrobe for helicopter training including winch/rappel activity, helimed crew training and confined space assessments, which are undertaken in the adjacent plantation, it is expected that there will be opportunities to attract helicopter operators, training and maintenance providers to the airport.





#### 4.5.8 RESIDENTIAL AIRPARK

The demand for hangar accommodation combined with residence is becoming increasingly popular in Australia and can, in general, be considered an important growth sector. Previous Master Plans for Latrobe Regional Airport in 1998 and 2009 have identified space for a residential airpark on the airport.

A number of factors however contribute to the success of an airpark development, including resident demographics, facilities and safety standards.

There are several successful airparks within Australia and these include the Whitsunday Aviation Village Estate, Gatton Airpark in Queensland, Yarrowonga in Victoria and Temora in New South Wales. Despite their popularity, the quality and aesthetic of these airparks varies considerably.

The Whitsunday Aviation Village Estate and Temora Park incorporate residential and commercial precincts. The Gatton Airpark is residential only, however the residents own the airpark. There are also airparks in planning stages located in Gympie, Queensland, and Denmark, Western Australia.

Airparks appeal to a certain demographic, which generally includes aviation enthusiasts, charter businesses and holiday-makers. Key motivations for choosing to live in an airpark include:

- Sharing a common interest with like-minded people;
- A ready availability of aviation infrastructure; and
- The high level of security and convenience provided.

Airport-related amenity issues, such as potential noise from aircraft, are understood and are expected by residents.

According to a study of airparks in the USA, the estates generally consist of people, aged over 50 who are semi-retired professionals, with significant assets and moderate to high disposable income. They also have time available to fly and maintain their own aircraft. This selective demographic may also be attracted to the investment potential of airparks because there are few parks and property values within them are high, relative to similar property, whilst being low relative to conventional residential land. No such studies are available in relation to Australian airparks, although there is no reason to suggest the findings would be different.

At a minimum, airparks must adhere to the relevant Civil Aviation Safety Authority (CASA) guidelines in relation to infrastructure, technical support and resident-use amenity. However, there is no requirement for airparks to be licensed. It should be noted however that none of the existing airpark developments are at airports which also serve airline or commercial GA operations and therefore the requirements in relation to segregation and control of airpark users with respect to safety and security have never been fully tested in Australia. Generally, resident access to the runway, taxiway and terminal areas has to be monitored and this requires a security system that can be accessed via a key pad or swipe card together with a limited number of taxiway connections to the airfield proper.



Lot size differs and depends on the location of the airpark, but general lot size falls between 800m<sup>2</sup> and 2,500m<sup>2</sup>. The price of lots also varies, depending on the location and the facilities offered on site and the surrounding areas.

Uncontrolled and uncongested airspace is often a consideration among many potential airpark residents. The ability to incorporate both recreation and commercial facilities within an airpark also contributes to its success.

For a variety of reasons, long-leasehold arrangements provide greater power to ensure users comply with safety, security and general behavioural requirements. However, to encourage the investment needed to achieve a quality development freehold tenure may be necessary.

The concept of a residential airpark is one which is not, per se, conducive to business and employment objectives. Whilst it is acknowledged that the ability to offer residential airpark style blocks may assist in attracting aviation businesses to the airport, there are currently insurmountable constraints on residential land use in the northern sector of the airport. The only alternative area is the southern commercial precinct. However, this precinct also currently provides the only short-term response to aviation business enquiries, including the immediate opportunities associated with education and training discussed above.

In the short-term, therefore, residential airpark and air chalet development at Latrobe Regional Airport is not recommended unless and until development constraints in the northern sector can be removed, or sufficiently relaxed to enable this use. In the medium- to long-term, appropriate aviation-related residential uses, which acknowledge and are compatible with the primary objective of employment generation, have the potential to contribute to business development at Latrobe.

Prior to any such development commencing suitable design controls should be established in order to ensure an appropriate level of quality and aesthetic, consistent with other precincts at Latrobe Regional Airport.

#### **4.5.9 PILOT TRAINING**

The *Latrobe Valley Industry and Employment Roadmap* notes that there are opportunities to increase flying training and related activities, suggesting that capacity for training at Moorabbin Airport will become increasingly constrained. Moorabbin Airport is currently operating around 250,000 annual movements with an approximate long-term capacity (based on the Moorabbin Airport 2015 preliminary draft Master Plan) of 500,000 movements.

At typical GA growth rates, even allowing for the abovementioned expected demand, it is unlikely that Moorabbin Airport will reach capacity before about 2040 and may take until 2060 before significant constraints occur. During this period it is possible that some smaller flying schools serving recreational and private pilots may be displaced. However alternative locations closer to Melbourne's south eastern population base, such as Tyabb which already has a significant recreational pilot presence, are likely to be the first to absorb any displaced activity for reasons of



geographical convenience. Major commercial pilot training is likely to remain consolidated at Moorabbin.

Whilst opportunities for pilot training schools of various types to establish at Latrobe are not to be ignored, it is important to be realistic and target appropriate possibilities. Rather than major airline flight training academies, it is considered more likely that opportunities will be present for existing flying training providers to expand their business or for additional providers of similar services.

The Latrobe Valley Aero Club already offers the highest level of qualification of the current on-airport flight training providers. LVAC also has aspirations to increase its range of flight training capability. The model for this is to be determined but might include a component of outsourcing, offering an opportunity for one or more other flight training providers to establish at the airport on the strength of such a partnership.

#### 4.5.10 PASSENGER SERVICES

The re-establishment of regular public transport services at Latrobe Regional Airport is considered to be highly unlikely. The excellent road and rail connectivity means that these modes compete extremely favourably with air travel to Melbourne from both a time and cost of travel perspective. Increasing limitations on regional airline access to Melbourne (Tullamarine) Airport in the future will make it even more difficult for airlines to re-establish scheduled airline services here from places like Latrobe.

The relatively short travel time and vastly lower cost of travel by road to Melbourne Airport will make air travel an uncompetitive mode in all but the most time-sensitive of situations. Of those airlines approached in consultation, QantasLink and Virgin provided responses confirming their position that Latrobe does not meet their key criteria for consideration as a potential part of their network. No response was received from Regional Express.

As far as other destinations go, there are two factors which are likely to inhibit the establishment of airline services to places other than Melbourne. Firstly, it is unlikely that the population of Latrobe will reach a level that will be able to support a RPT service to any particular destination based on outbound traffic alone. Secondly, the relative proximity to the superior range of destinations, airlines and service frequency available from Melbourne can be expected to ultimately erode any RPT demand.

Nonetheless, a potential market for passenger services is considered possible. An independent view put forward previously by one of the major regional airlines is that Latrobe is an ideal 18-seat route, with base level demand that could be catered for by aircraft such as the Embraer Bandeirante, Beechcraft 1900 and Metro III. The GA-18 Airvan, if ever developed, would be an obvious local candidate. Other options which could be viable include 8-12 seat services operated by Piper Chieftain or Cessna Caravan aircraft. Frequent charter or air taxi services using these aircraft offer an alternative model which, given the factors outlined above, are likely to be more viable than a traditional RPT service.



#### 4.5.11 AIRCRAFT MOVEMENTS

General Aviation aircraft movement growth rates nationally are expected to sit somewhere between 0.5% and 3.0% per year over the next 20 years. General Aviation aircraft movements are significantly more difficult to forecast with any accuracy than are passenger movements, due to substantial variations in movement rates associated with different sectors and sub-sectors of the general aviation industry.

As a lower-bound, forecast population growth rates often serve as a reasonable proxy for predicting general aviation movements. Although it relates to the ABS Traralgon statistical local area only, rather than Latrobe City as a whole or the catchment of Latrobe Regional Airport generally, the medium-growth population forecast of 1.15% per year adopted by the TGAR is considered a reasonable lower-bound growth rate for aircraft movements at Latrobe Regional Airport. This would result in around 38,800 aircraft movements by 2035.

However, aircraft movements will be directly driven by the number and scale of businesses on airport. This can be assumed, very approximately, to be proportional to the extent of commercial aviation areas which are developed. The Master Plan envisages an expansion from around 150,000m<sup>2</sup> of active precincts to between 300,000 and 400,000m<sup>2</sup> assuming full occupancy of available land in the southern and eastern areas of the airport and depending on the extent of development in the Northern Business and Employment Zone. This would suggest movement levels of between 60,000 and 75,000 per year could occur upon realisation of the Master Plan vision.



## 5.0 DEVELOPMENT CONCEPT

The development concept established for Latrobe Regional Airport in this Master Plan seeks to support the principal objective of the airport as one of the Latrobe Valley's key employment hubs.

The development concept establishes a land use plan which maximise the potential for a wide variety of potential commercial aviation-related business operations at the airport, in response to existing and likely future opportunities (as set out in **Section 4.0**). The land use plan sets out a vision for the ultimate development of Latrobe Regional Airport and provides principles and guidance about land use and development on the airport to the Latrobe Regional Airport Board.

The aerodrome facilities plan is driven by the operational and other needs of the aviation businesses and other airport users envisaged through the land use plan.

The development concept is underpinned by the following principles:

- Focus on providing for opportunities which offer the greatest business and employment potential; and
- Maximise the ability for directly aviation-related development through the provision of airside access wherever possible.

The land use plan divides the airport into a series of broad zones, which are further subdivided into smaller precincts providing for specific uses where a logical benefit exists to ensuring these are located in particular physical areas.

**Figure E** provides a Land Use Concept and Development Zone Master Plan which sets out the extent of the various zones and precincts and provides an indicative layout for development within each area. A degree of flexibility has deliberately been incorporated within these concepts to enable the actual layout of lease lots and infrastructure to be refined in response to specific opportunities as these eventuate.

Each of the zones and precincts is described in the following sub-sections. The aerodrome facilities which are proposed to facilitate the development concept are described in **Section 0**.

### 5.1 TERMINAL ZONE

This zone encompasses the majority of existing activities at Latrobe Regional Airport, including the terminal and main apron areas, Latrobe Valley Aero Club facilities, East Coast Aviation, the Latrobe Flying Museum and the private hangar precinct. Landside facilities for the SES, CFA and airport maintenance are also located here.

These activities are integral to the present character of the airport. In addition several of the businesses are significant employers. It is envisaged that all of these uses will remain essential to Latrobe Regional Airport in the future. They are generally adequately provided for in the current locations. As such the principal objective of the precincts within this zone is to provide for the continuation and modest expansion of the existing activities.



### Central activity precinct

This precinct, which currently houses the terminal and main apron, LVAC building, LVAC hangar, East Coast Aviation, and AVGAS fuel bowser, will remain a central focus of operational activity at the airport. Although RPT passenger services are not envisaged to return to Latrobe Regional Airport, facilities will still be required to serve charter or air taxi operations and itinerant aircraft. The current terminal and LVAC facilities meet this requirement in general. Although the airside area within this precinct is subject to some existing congestion and conflict (especially in the area around the AVGAS facility, LVAC hangar and East Coast Aviation), there is room for expansion of airside infrastructure to the north-west which would be further facilitated by the ultimate realignment of Taxiway A.

The area to the north of East Coast Aviation (where the large helicopter pad is currently located) would make an appropriate location for consolidated AVGAS and Jet-A-1 fuel storage facilities. As it is impractical to establish direct landside road access to this area, it would not be suitable for additional hangar or aviation business facilities. The existing taxiway could also be retained and used for taxi-up AVGAS bowser access.

### Aviation heritage precinct

This precinct currently houses several hangars occupied by the Latrobe Flying Museum, along with some other tenants. The Latrobe Flying Museum offers the potential to increase employment through expansion of its operations in an aviation heritage context. Naturally, consolidation of these activities into a compact precinct would be ideal. The current hangar precinct offers considerable expansion opportunity, if the other existing activities were to ultimately relocate to other development areas on the airport. The adjacency to the existing park area also presents an opportunity to incorporate some static displays which could enhance the experience for locals and visitors in respect of the park area.

### Private hangar precinct

Modest expansion of the existing private hangar precinct is envisaged. This includes the completion of Stage 2 to the south. With the relocation or redevelopment of the hangars currently occupied by LVAC and the Latrobe Valley Sport Aircraft Association, combined with realignment of Taxiway A, there exists capacity to approximately double the number of existing hangar sites.

### Landside precinct

Little change to the landside precinct is envisaged. Car parking is important to support any future passenger operations, as well as the adjacent businesses, but is considered generally of sufficient size for the purpose into the future.

Current landside sites provide important facilities for essential local services including the SES, CFA and RAAF cadets. It is considered beneficial to retain these organisations on-airport in the future and the current locations are considered appropriate.



Should these users relocate of their own volition to alternative facilities off-airport in the future then alternative uses which support the fundamental aviation activities within the terminal zone could be considered. These uses could include a café, food van, or other local food and beverage offering which would be specifically focussed on serving the airport community.

#### **Aviation business expansion precinct**

Within the terminal zone to the north of the aviation heritage precinct there exists the potential, through realignment of Taxiway A, to establish 2-3 additional lots for aviation businesses. By upgrading the realigned taxiway to Code C standards, these lots could be accessible for larger aircraft such as Dash 8 (Series 100 – 300) types, or other Code C aeroplanes which are permitted to use the existing runway infrastructure.

As sites which could potentially accommodate Code C aeroplanes on the airport are limited, these sites (along with those possible at the southern end of the runway) should be reserved for those operators which are likely to require operations by these larger aircraft. This might include the acquisition of larger aircraft by the Latrobe Flying Museum.

## **5.2 BUSINESS AND EMPLOYMENT ZONES**

Outside of the modest expansion of aviation business sited within the terminal zone, three further zones on the airport have been identified where activities associated with business and employment opportunities will be prioritised.

### **5.2.1 CENTRAL BUSINESS & EMPLOYMENT ZONE**

The central business and employment zone is located immediately south-west of the terminal zone. It currently accommodates Mahindra Aerospace and emergency services activities. The objective of this zone is to allow for the future expansion of these users' operations and provide opportunities for related businesses to establish in close proximity.

#### **Mahindra Aerospace precinct**

Mahindra Aerospace is presently Latrobe Regional Airport's most significant employer. Ensuring continuance of this activity is the objective of this precinct. Whilst some modest opportunity would exist for expansion with the realignment of Taxiway A to the north-west and relocation of the Jet A-1 aviation fuel storage facility, space within the existing precinct is limited. Should additional space for Mahindra Aerospace be required this would need to be accommodated within the adjacent precinct.

#### **Manufacturing support precinct**

The objective of this precinct is to support the continued operations of Mahindra Aerospace by providing sites suitable for aviation-related manufacturing activity. These might be occupied solely by Mahindra Aerospace, or by associated suppliers. Whilst the detail of the internal layout of this precinct would be subject to further consideration in light of the intended users and their specific



requirements, the Master Plan adopts a concept layout which allows all or part of the site to be occupied by Mahindra as an expansion of its current footprint.

#### **Emergency services facilities precinct**

Having recently established both the Helimed 1 Air Ambulance Victoria helicopter base and the Department of Environment, Land, Water and Planning (DELWP) fire base, significant expansion of these facilities is not envisaged in the short- to medium-term. In the longer term, however, there may be a requirement for additional facilities associated with emergency services activity by these operators and their contractors, or by other emergency service providers.

#### **5.2.2 SOUTHERN BUSINESS & EMPLOYMENT ZONE**

Development of the Southern Business and Employment Zone has already commenced, with the hangars occupied by Osprey Aviation Services and Jelfor Pty Ltd. This zone provides for immediate expansion opportunities to accommodate additional aviation businesses. This zone also offers the potential to connect with activities on adjacent land which might include industrial aviation related businesses.

The option exists to provide a taxiway connection onto adjacent land for the purposes of facilitating airport-related activities which are unable to be accommodated within the airport land boundary.

#### **Aviation business precinct**

This precinct represents the logical expansion of the existing lots in the southern precinct. These are in general suitable for Code B aircraft and consist of 23m wide by 51m deep lots which would be suitable for occupation singly or in combination by a wide variety of aviation businesses.

#### **Education and training precinct**

One of the more immediate opportunities is the potential establishment of aerospace training and education facilities. Based on preliminary discussions with a possible anchor tenant, a dedicated precinct with the objective of consolidating education and training activities relevant to the aviation sector is proposed.

#### **Large aircraft precinct**

Locations where aircraft of dimensions larger than Code B (such as the SAAB 340 or Dash 8) can be operated on the airport are limited. Although some hangar sites can be incorporated within the aviation business expansion precinct in the Terminal Zone, additional sites may be required. The large aircraft precinct is proposed to enable further opportunities for wider and deeper hangar sites needed for larger Code B and Code C aeroplanes. The proposed location of this precinct minimises the extent of Code C taxiway pavement that would be required to allow access to the runway.

#### **Emergency services operations reserve**

This area is reserved for the regular operations of emergency services aircraft, in particular aeroplanes and helicopters associated with firefighting activities. Each bushfire season, when





firefighting activities are in progress, additional aircraft are based at Latrobe Regional Airport. These aircraft cannot be accommodated within the leased area occupied by DELWP and presently the area between Taxiway B and Runway 03/21 is used. With continued development and realignment of Taxiway B, this area will no longer be available. The emergency services operations reserve fulfils the objective of ensuring adequate operational space when required in close proximity to the emergency services facilities.

This reserve is suitable for operation and temporary parking of aircraft and should remain clear of hangars or other permanent facilities. The area would be close to serviced water supply which could potentially be utilised for refilling of firefighting aircraft.

### 5.2.3 NORTHERN BUSINESS & EMPLOYMENT ZONE

This zone has the advantages that it would be accessed directly off Old Melbourne Road, which carries a large amount of local traffic between Morwell and Traralgon. It is the only area within the current airport boundary where freehold disposal of lots could be considered by Council without jeopardising the long term flexibility for future development of the airport (see Section 5.5).

#### Aviation enterprise precinct

The objective of this precinct is to provide for a range of uses to enable the establishment of small businesses by providing access to a variety of facilities under different terms of tenure. This might include a mix of freehold, long leasehold lots, and shorter-term lease of multi-purpose building facilities constructed by Council (or by another larger developer).

If freehold is deemed desirable in order to establish businesses on airport and increase the critical mass of activity, the provision of freehold blocks should be limited to this precinct and remain within clearly defined areas, which should be as close to Old Melbourne Road Boundary as possible so as not to unduly restrict the future flexibility of airfield development.

#### Future development precinct

This precinct would be suitable for a range of uses and the most appropriate activities would to a certain extent be determined by the preceding development as well as the future situation with respect to various existing constraints (in particular the urban amenity buffer, Gippsland Water storage facility buffer and any bushfire management overlays associated with adjacent plantation). Subject to these constraints, future uses of this precinct could include:

- Residential lots, either as a pure residential airpark or a residential component attached to aviation business operations;
- Private hangars; or
- Expansion of the aviation enterprise precinct.



## 5.3 OTHER DEVELOPMENT AREAS

### 5.3.1 PARK, RECREATIONAL AND EVENTS ZONE

Whilst retention of the current park area within the aviation heritage precinct is envisaged, as development of aviation businesses occurs the current adjacency of the park to the airfield and in particular the runway will be eroded. In addition to this, an area is needed where the opportunities for aviation-related events described in **Section 4.5.6** might occur. This area would need sufficient room for parking of light aircraft and road vehicles, basic services (to feed ablutions and other amenities such as barbecue facilities and perhaps showers), as well as good access to the airfield but separate from the operational areas.

The northern corner of the airport meets these requirements. This area is of limited use for other purposes, being constrained by the clearances required to the NDB and the need to avoid constructing permanent structures or other facilities within the reserve which may be required for a future Code 3C runway and associated obstacle limitation surfaces.

Appropriate management and control of potential wildlife hazards to aircraft operations (such as from carelessly discarded rubbish, food scraps and other sources) appropriate to an on-airport environment would need to be implemented by the Latrobe Regional Airport management.

### 5.3.2 FUTURE DEVELOPMENT ZONE

This zone, which is situated between the two runways, would be available for future development. Due to its location, lack of access or services, it would not make sense to develop this area until other development areas have been exhausted. Requirement to establish infrastructure in this area is not envisaged within the 20-year horizon of this Master Plan.

Whilst this area remains clear it offers a large open area that would be suitable for activities such as helicopter crew training (winching, rappelling and hover training), skydiving and as an aerobatics box. All of these are activities which might be required by the types of aviation business currently established on the airport and which Latrobe Regional Airport aspires to attract. The objective of this zone within this Master Plan therefore, is to remain as open area suitable for use by those aviation activities which require it.

## 5.4 DEVELOPMENT GUIDELINES

A set of Development Guidelines for reference by the Latrobe Regional Airport Board in assessing development within each precinct is provided at **Appendix D**. These guidelines provide additional detail on requirements at an individual lot level.

## 5.5 TENURE & OWNERSHIP OF DEVELOPMENT SITES

A common difficulty at regional airports is the complaint that lease arrangements make it difficult for small aviation-related businesses to finance developments which would expand the range of aviation activities on airport land. Users often advocate the subdivision and freehold sale of airport



land, with Council potentially retaining ownership of the land required for runways, taxiways, aprons and the passenger terminal area. This arrangement, however, is predicated on having confidence that there will never be a need for major redevelopment or reconfiguration of facilities within the airport site. Given the dynamic nature of the industry and ever-changing development opportunities, it is widely acknowledged that it is essential to retain as much flexibility as possible with respect to future requirements. The lease of sites within the airport boundary is generally favourable on the basis that Council maintains long-term control of the land, even if the lease periods are relatively long.

The current arrangement at Latrobe Regional Airport, where leasehold sites are offered, is standard practice for airports throughout Australia, and fulfils the flexibility imperative described above. On the other hand it is acknowledged that it may prove difficult to arrange development finance for lease terms shorter than 20, or in some case 30 years.

LCC and the LRAB should therefore consider carefully how the available land will be made available to developers. Although the option exists to sell freehold some or all of the individual sites, this approach is not recommended in relation to the terminal zone, nor for the southern and central business and employment zones. In these areas, individual sites held on freehold purchase basis may restrict future plans for the adjacent sites and would reduce the flexibility of the surrounding precincts to develop in response to business opportunities. Through projects at other regional airports, REHBEIN Airport Consulting has also witnessed regional councils' difficulties in developing airports based on past decisions to sell land on a freehold basis.

It is recommended instead that LCC and LRAB adopt an extended lease arrangement. The standard leases offered by the Federal Airports Corporation (FAC) were for 25 years with 40 year tenure available for special developments and a number of regional airports are now considering 20 years as a minimum lease period, sometimes with extension options. Shorter lease terms may be negotiated by mutual agreement and longer terms of 50 years or more could also be considered as preferable to a freehold arrangement.

In the event that the ability to offer freehold land is considered absolutely essential to attract businesses or residential aviators, and that the vision for development of Latrobe Regional Airport cannot be fulfilled without recourse to a freehold tenure, then limited release of freehold sites within the northern business and employment zone could be considered, as described in **Section 5.2.3**.

## 5.6 GROUND TRANSPORT

The proposed development zones and precincts will be accessed by the existing transport network, which provides road access to all of the proposed development areas. Ground transport links will be further enhanced through initiatives proposed within the TWSP.

Existing ground transport elements include:

- Access to the terminal zone off Airfield Road. The existing access point to the Landside Precinct will remain and other precincts in this zone will be accessed internally from here.



- Access to the Mahindra Aerospace Precinct from the existing access off Airfield Road.
- Access to the Manufacturing Support Precinct via Valley Drive
- Access to the Southern Business and employment Zone from Village Drive, which currently serves the DELWP firebase and Helimed 1
- Public transport (bus services) at the intersection of the Princes Highway and Village Drive, which serve the Latrobe Regional Hospital, are only 350m from the proposed Education & Training Precinct.
- Access to the Northern Business & Employment Zone and the Recreational & Events Zone through a single additional access off Old Melbourne Road.

Proposed ground transport elements within the TWSP which will assist in supporting the development of the Master Plan include:

- The identification of the Princes Highway as a high frequency multi nodal public transport corridor including rapid local bus services and on-road commuter cycle paths as well as rail services.
- Consideration of the establishment of an additional train station to service the Latrobe Regional Hospital (allowing better access to regional users) and the residents and employees of this area.
- Development of Old Melbourne Road as a green movement corridor between Airfield Road and the Traralgon CBD.
- The proposed Traralgon-Morwell Shared Path adjacent to the northern perimeter of the airport
- Additional bus stop on Airfield Road close to the Aviation Business Expansion Precinct.

Reference should be made to Section 3.3 and Figure 8 of the draft TWSP included at Appendix B for further details.



## 5.7 AERODROME FACILITIES

Aerodrome facilities have been identified to serve the development concept above.

### 5.7.1 PLANNING PARAMETERS

#### ICAO Reference Code

The dimensions, shape and layout of basic aerodrome facilities such as runways, taxiways and aprons are essentially determined by the performance capability and size of the aircraft that are intended to use them. The planning and design of these facilities therefore begins by identifying the most demanding or critical aircraft that will use them.

In Australia this is achieved by using an ICAO reference code system. The reference code has two elements, a number and a letter, which are derived by grouping aircraft with similar performance capability and key physical dimensions. Thirteen aircraft groupings, each with a unique code number and letter combination such as 1A, 2B, 3C and 4D have been identified.

The objective is to plan individual facilities for the critical aircraft likely to use them. Different facilities at the airport are normally planned for their specific critical aircraft. On the other hand, common use facilities such as the primary runway and taxiway system will be planned for the most demanding aircraft envisaged to use the airport.

#### Pavement Strength

The strength of airfield pavements is classified using the ICAO Aircraft Classification Number/Pavement Classification Number (ACN/PCN) system. The ACN is calculated by the aircraft manufacturer for each aircraft, based on the damaging effect of the aircraft on different types of pavement. The ACN is dependent on both the maximum weight of the aircraft and the number, type and configuration of the landing gear. The ACN also includes a component related to the tyre pressure of the main gear, which can often become the critical parameter in relation to pavement strength.

#### Principal Aircraft Parameters

Aircraft types in operation at Latrobe Regional Airport are expected to change in the long term to reflect the ongoing modernisation of the broader Australian fleet. To accommodate possible opportunities for the expansion of aircraft manufacturing and maintenance activities in the future, longer term planning for Latrobe Regional Airport includes large turbo-prop and regional jet aircraft with passenger capacity of at least 70 and up to 120 seats.

**Table 2** summarises the principal relevant planning parameters that relate to aeronautical facilities for each of the key aircraft types that might conceivably use Latrobe Regional Airport in the future. The aircraft in **Table 2** have been separated into those able to use the current Runway 03/21 and those for which a possible future Code 3C runway would need to be provided.



**Table 2: Principal Design Aircraft Key Parameters**

Aircraft Type	ICAO Aerodrome Reference Code	Wingspan (m)	MTOW (kg)	Typical Passenger Capacity (Pax)
Cessna 172	1A	10.9	1,160	N/A
Mahindra Airvan 8 / 10	1A	12.3	2,150	7 / 9
Cessna 310	1A	11.3	2,495	N/A
Cessna 404	1A	14.1	3,810	N/A
Beech Super King Air 200	1B	16.6	5,670	8-10
Cessna 208 Caravan	1B	15.9	3,310	9 – 12
Cessna 441	1B	15.1	4,468	8 – 10
DHC6 Twin Otter	1B	19.8	5,670	19
Air Tractor AT-802A	1B	18.0	7,257	N/A
Pilatus PC-12	2B	16.2	4,740	N/A
Embraer EMB-110	2B	15.3	5,670	19
Cessna Citation I/II	2B	15.8	6,030	8
Beech 1900D	2B	16.6	7,530	19
Metro III	2B	17.4	6,580	19
Dash 8-100, -200	2C	27.4	15,650	36
Dash 8-300	2C	27.4	18,645	50
Bombardier CL-600	3B	18.9	19,620	19
Dassault Falcon 900	3B	19.3	20,640	19
Embraer E-145	3B	20.0	24,100	50
Metro 23	3C	17.4	7,480	19
Saab 340	3C	21.4	13,155	34
ATR 72	3C	27.0	22,000	68
Dash 8- Q400	3C	28.4	29,260	74
Fokker F50	3C	29.0	20,820	55
Fokker 100	3C	28.0	45,810	100
Embraer E-170	3C	26.0	37,200	78
Boeing 717-200	3C	28.5	54,900	117

(1) For flexible pavement on a medium (category B) sub-grade



### 5.7.2 RUNWAYS

The current runways are of adequate length and width to serve the current aircraft types and traffic levels. Their orientation is suitable to achieve adequate runway usability with respect to prevailing wind patterns.

#### Runway 03/21

An extension of Runway 03/21 to the south-west to achieve an additional 150m length is possible. Implementation of this would be subject to Runway 03/21 remaining a Code 2 runway as it is impractical to implement the runway strip width required by the standards for Code 3 instrument non-precision approach runways.

In order to preserve the future capability for Latrobe Regional Airport to accommodate operations by Code 3 aeroplanes in accordance with the standards set out in CASA MOS Part 139, the previous Master Plans in 1998 and 2009 included for a possible Code 3C runway aligned parallel to and north-west of the existing. Based on analysis of the previous Master Plan contents, this 2015 Master Plan preserves two possible location options for this runway.

- **Option 1:** Provides for a separation of 156m between the existing and parallel runway centrelines<sup>3</sup>. This separation would enable the existing runway to be retained as Code 1 or 2 capable runway, together with a Code C parallel taxiway between the two runways.
- **Option 2:** Provides for a separation of 93m between the existing and parallel runway centrelines. This is the minimum separation required between a Code 3C instrument non-precision approach runway and a Code C parallel taxiway, to which it is assumed the existing runway will be converted.

Both options would enable a Code 3C instrument non-precision runway 1,680m long by 30m wide together with 90m long Runway End Safety Areas to the current standards at each end.

For the purpose of maximising future flexibility in the long term, and on the basis that this requires no undue sterilisation of land from other uses in the interim, planning to preserve both options is recommended.

#### Runway 09/27

Runway 09/27 currently meets Code 1B non-instrument runway standards. Sealing of the full length to provide for all-weather capability could be considered in the future. Subject to demand and development of the Aviation Enterprise Precinct, lighting of this runway could be considered to improve its availability.

<sup>3</sup> Note: The 2009 Master Plan assumed a separation of 168m between the existing and future runways on the basis that the future runway would allow for Code 3C precision approaches and the existing runway would become a Code C parallel taxiway. As discussed further in Section 7.4, the feasibility and need for a precision approach capability is considered unlikely.



### 5.7.3 TAXIWAYS

The Master Plan envisages realignment of Taxiway A in the medium- to long- term to align with the section between Taxiways A1 and A2. This realignment would place the taxiway centreline approximately 65m from the existing Runway 03/21 centreline enabling expansion of the existing main apron area and relieving congestion, as well as providing for expansion of other precincts.

### 5.7.4 NAVIGATION AIDS

Having recently been relocated, it is envisaged the NDB will remain in its current location for its life, which is anticipated to be for the period of this Master Plan. Beyond that, should the NDB be removed entirely, the opportunity would exist for expansion of the Aviation Enterprise Precinct.

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## 6.0 BUSINESS DEVELOPMENT AND MARKETING STRATEGY

### 6.1 BACKGROUND

The preceding sections of this Master Plan set out the context, strategic direction and development concept for the Latrobe Regional Airport over the next 20 years and beyond. The identification of a prioritised set of business opportunities, and subsequent establishment of a development concept with the flexibility to accommodate various types of aviation business activity, are necessary enabling factors in the realisation of the Master Plan vision. They are, however, insufficient in themselves to ensure that the full potential of the Latrobe Regional Airport as an employment hub is realised.

In order to attract businesses and other aviation activity to establish at the airport, Latrobe City Council and the Latrobe Regional Airport Board will need to work proactively with existing airport tenants – and to identify, engage and initiate dialogue with prospective organisations – to understand the critical success factors for individual businesses.

For regional airports such as Latrobe where passenger services are marginal or uneconomical, a vibrant general aviation sector encompassing a diverse range of non-passenger aircraft operations is essential for maximising viability. Latrobe Regional Airport already hosts a range of aviation activities which are in good commercial health relative to the industry. The private hangar precinct, Mahindra Aerospace, Latrobe Valley Aero Club, Latrobe Flying Museum, Aerial Extras, East Coast Aviation, DELWP base and Helimed 1 are all commercially important operators. This level of activity already makes Latrobe Regional Airport one of the more vibrant non-passenger regional airports in Australia and offers a sound platform for expansion.

### 6.2 OBJECTIVES

The principal objectives of the Latrobe Regional Airport Business Development and Marketing Strategy are to:

- Establish a clear development vision reflecting the Latrobe Regional Airport Master Plan 2015 and the prioritised business development opportunities;
- Increase diversification of aviation businesses at Latrobe Regional Airport through targeted and effective marketing, undertaken in parallel with respect to each of the key opportunities; and
- Set out the key actions required by the Latrobe Regional Airport Board and Latrobe City Council to realise growth and development at the airport on the basis of the opportunities identified through this Master Plan.



### 6.3 THE LATROBE REGIONAL AIRPORT VISION

A key starting point for engagement with prospective tenants is to present a clear, concise and consistent vision of the future development of the airport, which describes exactly how Latrobe City Council and the Latrobe Regional Airport Board see the mix of airport related activities which will occur there in future. The development vision should clearly articulate the key strengths of Latrobe Regional Airport and Latrobe City for prospective businesses.

The three key elements of the development vision and how each is supported by other layers of the Master Plan are:

- A Regional Aerospace Manufacturing and Maintenance Hub**

  - Australia's only commercial aircraft manufacturing facility provides established aircraft manufacturing activity within a dedicated Mahindra Aerospace precinct.
  - Development has commenced on a Manufacturing Support Precinct to accommodate expansion of Mahindra's facilities and dedicated provision for new aircraft manufacturing businesses.
  - Existing aircraft maintenance providers will be supplemented with new maintenance, repair and overhaul organisations.
  - Establishment of an aerospace education and training centre will provide an essential skills and labour pool for manufacturing and maintenance providers.
  - The ability to accommodate larger aircraft in the short term, through strategic sites with connectivity to the existing runway and in the longer term through a possible new runway alignment.
- A Strategic Emergency Services Base serving the Gippsland Region**

  - Latrobe Regional Airport is a key regional base for aerial fire-fighting and aeromedical retrieval operators serving the Gippsland region.
  - Strategic sites adjacent to existing facilities are preserved within the Master Plan, which are suitable for operational, maintenance and training contractors wishing to co-locate their operations with these important airport users.
  - Access to education and training services through an aerospace education and training centre, in partnership with local education providers.
- An Enabler of Aviation Enterprise and Innovation**

  - A dedicated precinct to encourage the establishment of aviation businesses through flexible development arrangements.
  - A strong and vibrant private aviation user base fostered by the availability of private hangar sites and an events-focussed strategy.
  - Access to aerospace education and training service providers and apprentices on airport.
  - A wide range of commercial aviation operators offering the full suite of aviation related services expected of a multi-purpose general aviation airport.



## 6.4 KEY ACTIONS

The following targeted actions are recommended as initial steps in the process of implementing the Master Plan vision and attracting aviation business development to fulfil the development concept set out in **Section 5.0**.

Latrobe City Council and The Latrobe Regional Airport Board, through the Airport Manager, are already proactively implementing several of these initiatives. This work should continue to be supported and, where necessary, additional resources made available to further increase the effectiveness of the strategy.

### Short Term

- Continue regular discussions to secure the future of Mahindra Aerospace at Latrobe Regional Airport. Develop further definition as to the nature of this presence and how it relates to Mahindra's global operations.
- Work with Mahindra Aerospace to identify supply chain opportunities which could be attracted to locate operations at Latrobe Regional Airport.
- Engage with Federation University and Federation Training to identify opportunities to locate relevant training and education facilities on-airport, within a dedicated Training and Education precinct.
- Consolidate on the success of the private hangar precinct to attract further leases. Ensure the business case for this development incorporates the costs of realignment of Taxiway A, thus enabling expansion and reconfiguration of a number of existing facilities which are constrained.
- Work with LVAC to identify specific immediate opportunities for aviation-related events which could be successful at Latrobe and to promote these to the general aviation community.
- Formulate a clear policy on commercial arrangements within the Aviation Enterprise Precinct, including the nature of lease agreements, tenure (including clear definition of any areas where any freehold lots would be offered along with associated user agreements and covenants).

### Medium Term

- Continue to promote the strengths of Latrobe City and Latrobe Regional Airport for aviation businesses through relevant channels including the Australian International Airshow held bi-annually at Avalon Airport as well as industry publications and representation at general aviation events.
- Work with the Latrobe Valley Aero Club to understand and facilitate LVAC's expansion aspirations in the field of pilot training and to target complementary businesses in this area to attract.



- Review the Latrobe City events calendar and identify opportunities for a wider range of events to be held at Latrobe Regional Airport which could benefit from the location and which can also encourage aviation uses.
- Engage with contractors and suppliers to the emergency services providers to identify the potential for associated services to co-locate within the Emergency Services Precinct.
- Seek out and engage potential passenger charter, commuter service or air taxi operators, which might be capable of establishing and growing a potential passenger transport market based on Latrobe, to further enhance the attractiveness of the location to business executives. Also consider working with Melbourne (Essendon or Moorabbin) based operators with the objective of fostering charter services to and through Latrobe.

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## 7.0 AIRPORT SAFEGUARDING

### 7.1 THE NEED FOR SAFEGUARDING

Adequate protection of the basic capability to undertake aircraft operations in accordance with prescribed safety standards and regulatory requirements, and in an efficient and economic manner, is imperative to the future realisation of aeronautical opportunities at Latrobe Regional Airport. These aeronautical operations provide the essence of the airport's activity and hence the catalyst for all employment and business activity envisaged by this Master Plan. Without adequate safeguarding, the vision established by the 2015 Latrobe Regional Airport Master Plan will not be achieved.

It is vitally important to protect Latrobe Regional Airport from encroachment from incompatible urban expansion and ensure continued operations whilst protecting the amenity of surrounding properties.

In order to adequately protect for the potential future aircraft operations at Latrobe Regional Airport envisaged by this Master Plan, safeguarding of a number of aspects will be required through appropriate planning and development restrictions and monitoring processes. In order to be most effective, these restrictions must be referenced within the Latrobe Planning Scheme and it is recommended that the relevant requirements also be incorporated into the planning permit assessment process, to the extent possible under the Victorian Planning Policy Framework.

### 7.2 CURRENT PLANNING TOOLS

A number of planning tools or controls are available within the Victoria Planning Provisions for airport safeguarding:

- The Local Planning Policy Framework, including the Municipal Strategic Statement and Local Planning Policies, can be used to highlight the strategic importance of a municipality's airport(s) and set out objectives and strategies to support their ongoing operation and protection in accordance with the seven principles of NASF;
- Appropriate zones can be used to ensure that future land use and development around an airport is responsive to ongoing aviation activities at the airport; and
- Overlays, particularly the Airport Environs Overlay (AEO) and Design and Development Overlay (DDO), can be used to deal with specific matters such as protecting aircraft noise contours and operational airspace surfaces in accordance with the relevant NASF Guidelines.



### 7.3 NATIONAL AIRPORTS SAFEGUARDING FRAMEWORK

The National Airports Safeguarding Framework (NASF) is a national land use planning framework that aims to:

- Improve community amenity by minimising aircraft noise-sensitive developments near airports including through the use of additional noise metrics and improved noise-disclosure mechanisms; and
- Improve safety outcomes by ensuring aviation safety requirements are recognised in land use planning decisions through guidelines being adopted by jurisdictions on various safety-related issues.

The NASF was developed by the National Airports Safeguarding Advisory Group (NASAG), comprising of Commonwealth, State and Territory Government planning and transport officials, the Australian Government Department of Defence, the Civil Aviation Safety Authority (CASA), Airservices Australia and the Australian Local Government Association (ALGA).

NASF currently consists of a set of seven principles and six guidelines, as follows:

- **Principle 1:** The safety, efficiency and operational integrity of airports should be protected by all governments, recognising their economic, defence and social significance
- **Principle 2:** Airports, governments and local communities should share responsibility to ensure that airport planning is integrated with local and regional planning
- **Principle 3:** Governments at all levels should align land use planning and building requirements in the vicinity of airports
- **Principle 4:** Land use planning processes should balance and protect both airport/aviation operations and community safety and amenity expectations
- **Principle 5:** Governments will protect operational airspace around airports in the interests of both aviation and community safety
- **Principle 6:** Strategic and statutory planning frameworks should address aircraft noise by applying a comprehensive suite of noise measures
- **Principle 7:** Airports should work with governments to provide comprehensive and understandable information to local communities on their operations concerning noise impacts and airspace requirements.
- **Guideline A:** *Measures for Managing Impacts of Aircraft Noise*
- **Guideline B:** *Managing the Risk of Building Generated Windshear and Turbulence at Airports*
- **Guideline C:** *Managing the Risk of Wildlife Strikes in the Vicinity of Airports*
- **Guideline D:** *Managing the Risk of Wind Turbine Farms as Physical Obstacles to Air Navigation*
- **Guideline E:** *Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports*
- **Guideline F:** *Managing the Risk of Intrusions into the Protected Airspace of Airports.*

The full NASF principles and guidelines can be found on the Department of Infrastructure and Regional Development's website at: [www.infrastructure.gov.au/aviation/environmental/airport\\_safeguarding/nasf](http://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf)



Two further NASF guidelines are understood to be under preparation by NASAG. One of these will cover the application of Public Safety Zones which are intended to protect third parties from risk as a result of aircraft crashes. The other will provide guidance on ensuring sensitive areas around aviation communication, navigation and surveillance (CNS) airways facilities are adequately protected against the impacts of surrounding structures on radio signals.

The NASF was agreed to by Commonwealth, State and Territory Ministers at the Standing Council on Transport and Infrastructure meeting on 18 May 2012. The agreement represents a collective commitment from governments to ensure that an appropriate balance is maintained between the social, economic and environmental needs of the community and the effective use of airport sites. NASF applies to all airports in Australia.

As of March 2015, the Victoria Planning Provisions incorporate controls to deal with specific matters such as the protection of operational airspace surfaces and aircraft noise contours in accordance with the relevant NASF Guidelines. These issues and the applicable planning controls are described in **Section 7.4** and **Section 7.5** respectively.

Also as at March 2015, a new Victorian Planning Policy Framework is under development. A draft of the proposed Planning Policy Framework released in 2014 contains a number of policies that support the ongoing protection of airports and their operation. The NASF is listed as a background document in Clause 12.09 of the draft Planning Policy framework. Other safeguarding considerations covered or envisaged by NASF are discussed in **Section 7.6** below.

## **7.4 AIRSPACE PROTECTION**

### **7.4.1 AIRSPACE PROTECTION LEGISLATION**

The safety, efficiency and regularity of aircraft operations require airspace to be largely free of obstacles which may make it unsuitable for the conduct of visual and instrument flights.

The Commonwealth provides for the protection of airspace around its federally leased airports through Part 12 of the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*. This Master Plan adopts the *Airports Act 1996* definitions of 'prescribed airspace' for Latrobe Regional Airport to ensure consistency with the latest Commonwealth practice. Prescribed airspace protected is defined thus as the airspace above any part of either an OLS or a PANS-OPS surface for the airport.

### **7.4.2 OBSTACLE LIMITATION SURFACES**

The Obstacle Limitation Surfaces (OLS) for an airport describe the airspace boundaries for flight in proximity to an airport which should be kept free of obstacles that may endanger aircraft operations in visual operations or during the visual stages of an instrument flight.

The OLS elements are defined in the International Civil Aviation Organization (ICAO) Annex 14 and in Chapter 7 of the CASA Manual of Standards Part 139. The OLS are used to define when objects are to be considered as obstacles and assessed for their impact on aircraft operations in visual



flight. Subject to an aeronautical assessment, CASA may permit an obstacle to penetrate the OLS without placing restrictions on the allowable operations, but will normally require it to be marked and/or lit to make it conspicuous to pilots.

However, CASA's general approach to obstacles is that every effort should be made to implement the OLS standards and limit the introduction of new obstacles. It is the responsibility of the aerodrome operator, to monitor surrounding airspace for obstacles and avoid penetrations of the OLS. The implication here is that for regional airports, which are not protected by the *Airports (Protection of Airspace) Regulations 1996*, that permitting obstacles within the OLS without a confirmatory aeronautical assessment may result in a mandate from CASA to alter the operational parameters of the aerodrome to remove the obstacle from the resultant OLS. This could easily result in closure or effective closure of a runway.

The previous (2009) Master Plan made provision for a precision approach runway. The feasibility of providing precision approach capability at Latrobe Regional Airport is highly questionable, given the existing obstacle environment. It is instead considered that improvements to satellite-based navigation procedures such as that offered by RNP are likely to represent the most cost-effective landing minima. Such procedures can be adequately protected by non-precision OLS requirements.

In order to adequately protect for all possible runway options, a composite OLS has been developed based on applying Code 3C instrument non-precision criteria to both possible future runway alignments (Option 1 and Option 2 on **Figure F**) together with Code 2C instrument non-precision criteria to the existing runway alignment (including the possible extension). This is shown on **Figure G**. Although it is acknowledged that some existing obstacles may penetrate this composite OLS, it is justifiable to protect for all possible future runway options by restricting the presence of any additional obstacles within the potential OLS of any future runway development.

### 7.4.3 PANS-OPS

Obstacle assessment or accountability requirements for instrument flight are prescribed by ICAO in document 8166-OPS/611: Procedures for Air Navigation Services – Aircraft Operations. These PANS-OPS surfaces define the absolute upper limit required of new structures so that the procedure designer can guarantee that an aircraft will have required minimum vertical clearance when flying in instrument conditions. In these situations the pilot may be relying entirely on the information derived from cockpit instruments and may have no external reference to the ground, to obstacles or other aircraft.

As a minimum, the existing procedures must be protected from intrusion by obstacles in the same way as the OLS. However, with PANS-OPS it is important to emphasise that there is no discretion in penetrating the surfaces – any structures must be kept below the PANS-OPS surfaces. If a new building or structure penetrates a PANS-OPS surface the procedures designer will need to adjust the PANS-OPS surface vertically to compensate, and in doing so raise the minimum safe altitude





for that segment of the instrument flight. As a result, structures in the vicinity of an airport may prevent a pilot from descending below cloud and landing at the airport.

In light of changes to the required PANS-OPS surfaces associated with non-precision instrument approaches, Council should review its current operational PANS-OPS surfaces to ensure it is fulfilling its obligations under Civil Aviation Safety Regulations Part 139 and Part 173 to monitor and protect the relevant obstacle inspection areas for the current instrument approach procedures.

In terms of ensuring future capability is preserved, development of a future PANS-OPS plan, developed to the relevant current protection criteria, sufficient to protect conceptual instrument approach procedures to future Runway 03/21 runway alignment options, is recommended prior to incorporating updated obstacle protection controls into the Latrobe Planning Scheme.

#### 7.4.4 DESIGN & DEVELOPMENT OVERLAY

There is no standard planning scheme mechanism in the Victoria Planning Provisions that specifically enables the height of structures that may impact on aircraft operations to be considered or controlled. In the absence of a standard overlay, several airports, including Latrobe Regional Airport, have used the Design and Development Overlay (DDO) as a form of airspace protection.

To ensure that the future vision of the Latrobe Regional Airport Master Plan 2015 is adequately protected in terms of obstacle limitation, revision and update of the current DDO schedules (DDO7 and DDO8) will be required. In preparing the relevant planning scheme amendment, reference to the obstacle limitation surfaces and PANS-OPS surfaces applicable to the future runway configuration(s) which may be necessary at the airport (as described above) should be made to ensure the DDO adequately protects these future requirements.

For the purposes of identifying updated DDO schedules, **Figure G** incorporates a composite OLS and PANS-OPS visual slope segment (VSS) surface plan for all three runway options.

## 7.5 AIRCRAFT NOISE

### 7.5.1 AUSTRALIAN NOISE EXPOSURE FORECAST

Restrictions on airport operations as a result of annoyance caused by exposure to aircraft noise can significantly limit the ability of an airport to facilitate aviation related business and employment. The Australian Noise Exposure Forecast (ANEF) system is one metric used for conveying the levels of aircraft noise exposure in the vicinity of airports. It is the only system which currently has statutory meaning for land use planning, through Australian Standard AS2021-2015, *Acoustics: Aircraft Noise Intrusion – Building Siting and Construction*.

The ANEF is constructed using the Integrated Noise Model (INM) to generate contours of equal noise exposure level. It is normal to show contours of 20, 25, 30, 35 and 40 ANEF units. It is based upon the:

- Intensity, duration, content and spectrum of the sound;



- Forecast aircraft types and movements on various flight paths; and
- Average daily distribution of aircraft take-offs and landing.

In accordance with the safeguarding principles and manner of endorsement for ANEFs<sup>4</sup>, aircraft noise forecasts should represent the future expected state of aircraft noise exposure in the vicinity of an airport. The ANEF can be prepared for a specific forecast year, or to represent the anticipated aircraft operations associated with the ultimate development of the airport.

The ANEF system forms the basis of the Airport Environs Overlay.

### 7.5.2 AIRPORT ENVIRONS OVERLAY

The Airport Environs Overlay (AEO) is a standard overlay available in the Victoria Planning Provisions intended specifically for implementing the land use recommendations within AS2021-200 associated with the ANEF. The AEO has two schedules: Schedule 1 is more restrictive and is applied to land inside the ANEF 25 contours; Schedule 2 is applied to land between the ANEF 20 and ANEF 25 contours. To be correctly applied, the boundaries of the overlay should relate to an endorsed ANEF chart and both AEO schedules (rather than just one) should be applied.

Currently, the Latrobe Planning Scheme incorporates an Airport Environs Overlay based on a 2010 ANEF prepared in 1998 and endorsed by Airservices Australia. However, only Schedule 2 is currently referenced.

As a result of a number of factors, an update to the Latrobe Regional Airport ANEF has been prepared. These factors include:

- Revised expectations regarding the likely number, frequency and type of aircraft movements that may occur in future;
- Incremental changes in the sophistication of the noise modelling software since the time the current ANEF was prepared;
- Recent advances in the modelling of helicopter noise which could result in changes to the contours. Helicopter movements could form a substantial element of future activity, and are generally noisier than fixed wing general aviation movements; and
- The fact that the horizon of the previous ANEF has now passed.

Preparation of an updated ANEF which reflects the ultimate airport development scenario ensures that the resulting noise contours provide more accurate information to Council and stakeholders for use in future land use planning decisions. The updated ANEF is included at **Appendix E**. These contours and the ANEF model behind them have been submitted to Airservices Australia to be endorsed for technical accuracy in the manner of endorsement approved by the Minister for

<sup>4</sup> All ANEFs are endorsed for technical accuracy by Airservices Australia, to ensure that the modelling assumptions adopted in INM appropriately reflect the parameters associated with aircraft operations, that consultation with relevant stakeholders including local and state government agencies has been undertaken, and that the forecast movements do not exceed the capacity of the future proposed airport infrastructure (ie runways).



Infrastructure, Transport, Regional Development and Local Government. Endorsement of these contours is anticipated to occur following the completion of the public exhibition of the Latrobe Regional Airport Master Plan 2015 and

## 7.6 OTHER SAFEGUARDING CONSIDERATIONS

In addition to the protection of Latrobe Regional Airport operational airspace surfaces and ANEF contours described above, the NASF highlights a number of other aspects of airport safeguarding which ought to be considered, but which are not yet covered by specific controls within the Victoria Planning Provisions. These are each described briefly under the respective sub-sections below.

### 7.6.1 N-ABOVE CONTOURS

NASF Guideline A – *Measures for Managing the Impacts of Aircraft Noise* recognises that the 20 ANEF and 25 ANEF zones within which residential developments are restricted under AS2021, do not capture all high noise affected areas around an airport. AS2021 itself recognises that the ANEF contours are not necessarily an indicator of the full spread of noise impacts, particularly for residents newly exposed to aircraft noise.

N-above contours have been developed and are now being applied by strategic planners to complement the ANEF metric and provide an additional communication and planning tool. N-above contours indicate the number of aircraft noise events equal to or greater than a specified noise level expected to occur on an average day.

Where there is no major existing or approved development, there is scope to plan ahead to take account of potential noise disturbance and in particular to minimise the zoning of noise-exposed land for residential development.

For this reason, NASF Guideline A recommends that existing and future development need to be treated differently, with rezoning of greenfield to permit noise sensitive uses only undertaken subject to the following approach:

- There should be no new designations or zoning changes that would provide for noise sensitive developments within a 20 ANEF where that land was previously rural or for non-urban purposes. Zoning for noise-sensitive development should be avoided where ultimate capacity or long range noise modelling for the airport indicates either:
  - 20 or more daily events greater than 70 dB(A);
  - 50 or more daily events of greater than 65 dB(A); or
  - 100 events or more daily events of greater than 60 dB(A).

N-above contours have been prepared based on the updated ANEF and are included for reference at **Appendix E**.



### 7.6.2 WILDLIFE HAZARDS

Wildlife strikes and/or their avoidance can cause major damage to aircraft and a reduction in safety. The majority of aircraft collisions with wildlife occur near the airfield during take-off, landing and associated phases. They may cause damage that may impact on the pilot's ability to manoeuvre the aircraft and are a leading cause of aircraft crashes

The risk of a strike on or in the vicinity of an airport relates to the level and form of wildlife activity both within the boundary of an airport and in surrounding areas.

Airports actively reduce wildlife populations and manage the risk of strikes on airport land. Such on-airport activities are underpinned by current aviation safety regulations. Australia's international aviation safety obligations as a contracting state to the Convention on Civil Aviation include responsibilities to take action to manage the risk from wildlife hazards. Aviation safety regulations do not address the risk of wildlife strikes occurring outside the boundary of airports in the same way as they address on-airport risk. The risk of a strike off-airport relates mostly to wildlife activity in areas surrounding the airport. Wildlife attracted to land uses around airports can migrate onto the airport or across flight paths, increasing the risk of strikes.

Land use planning decisions and the way in which existing land use is managed in the vicinity of airports can, therefore, significantly influence the risk of wildlife hazards. Minimising the risk of wildlife strike requires careful consideration from a planning perspective to identify potential land uses that may attract birds or other wildlife.

NASF Guideline C identifies land uses that have the potential to increase wildlife strike potential and provides guidance on buffer zones within which certain activities around airports should be controlled. Within these buffers it is recommended that some activities are excluded whilst others have monitoring and control measures.

The buffer zones applicable to Latrobe Regional Airport are indicated on **Figure H**.

### 7.6.3 LIGHTING RESTRICTIONS

Ground lights may cause confusion or distraction to pilots as a result of their colour, position, pattern or intensity of light emission above the horizontal plane. CASA has the power, through Regulation 94 of the Civil Aviation Regulations 1988 (CAR 1988), to require lights which may cause confusion, distraction or glare to pilots in the air, to be extinguished or modified.

Section 9.21 of the CASA MOS Part 139 provides advice with regard to the design and provision of lighting systems for use at or in the vicinity of an aerodrome, with the intention of minimising the potential hazard to aircraft operations from the lighting. Anyone proposing to install a lighting system within the vicinity of the aerodrome should be made aware of the requirements by the airport operator.

The advice provided by CASA is applicable to lighting installations within a 6 kilometre radius of the airport. The lights within this radius fall into a category most likely to be subjected to the provisions



of Regulation 94 of CAR 1988. Within the 6km radius, a primary area exists which is divided into four light control zones designated A, B, C and D. These zones reflect the degree of interference ground lights can cause as a pilot approaches to land. Each zone has specified limits on the intensity of light emissions (at 3 degrees above the horizontal plane) which should be maintained.

The extent of lighting restriction zones with respect to Latrobe Regional Airport are indicated on **Figure I**.

NASF Guideline E contains information to assist development proponents and planning authorities to ensure that lighting in the vicinity of airport does not compromise aviation safety. It is important that the guideline is consulted or CASA advice sought when new sources of significant lighting are being planned in the vicinity of airports. Examples of such developments include: motorway/freeway lighting; container yards; refinery flare plumes; stadium flood lighting; and construction lighting.

#### **7.6.4 BUILDING GENERATED WINDSHEAR AND TURBULENCE**

Buildings of a certain size and dimensions, when sited near to runway ends, can sometimes generate windshear and turbulence effects which can pose a safety risk to aircraft. The effect depends on a number of factors and NASF Guideline B sets out:

- empirically determined criteria for windshear and turbulence;
- generic guidance on mitigating risks from proposed buildings;
- a methodology for assessment of proposed buildings;
- options, where required, for subsequent detailed modelling of wind effects; and
- options to mitigate wind effects of existing buildings where required.

The assessment envelopes for building generated windshear and turbulence associated with NASF Guideline B cover an area 1,200m or close perpendicular to the runway centreline and extend 900m along the extended centreline of the runway prior to the runway threshold and 500m along the runway.

**Figure J** indicates the extent of the assessment envelopes applicable to each runway option. Within these areas, NASF Guideline B recommends that any proposed buildings be evaluated to confirm there will be no unacceptable impacts on the safety of aircraft operations.

#### **7.6.5 WIND FARMS**

Wind farms in the immediate vicinity of aerodromes pose a number of obvious risks to aviation safety, including the presence of tall structures which are likely to penetrate the protected operational airspace and the generation of turbulence.

NASF Guideline D provides general information and advice to proponents of wind turbine installations and planning authorities with jurisdiction over the approval of such structures. The guideline also provides specific advice on measure to reduce hazards to aviation and how to implement these.



Wind farm developments typically incorporate turbine structures in the order of 150m or more above ground level. These can be influential on aircraft safety some distance from the airport. To ensure that Latrobe Regional Airport is adequately protected from possible wind turbine development, the planning controls in relation to the height of structures within the DDO should be sufficiently extensive in area to capture any potential wind farm developments.

#### 7.6.6 PUBLIC SAFETY

Public safety zones are intended to limit the risks to third-parties as a result of potential aircraft crashes in the vicinity of airports, rather than to ensure levels of safety to aircraft occupants which is addressed through the civil aviation regulatory framework. Currently in Australia there is no clearly-defined national policy with regard to public safety zones at airports. Although the NASAG is currently considering the issue, the NASF does not currently include guidance on the protection of public safety zones at runway ends.

In the absence of a finalised national approach to public safety around airports, planning authorities should consider existing approaches to public safety zones, associated safety principles and how these might be applied in taking a precautionary approach to the treatment of development and public risk around airport sites.

Queensland is currently the only state which has adopted a policy which defines Public Safety Areas (PSAs) which are applicable to certain aerodromes considered to be of state significance. The Queensland Government has released planning guidelines for land uses at runway ends in its December 2013 *State Planning Policy: State interest – strategic airports and aviation facilities*. The Queensland SPP identifies 'Public Safety Areas' (PSAs) within which development should be restricted in order to protect the safety of both aircraft and passengers, and property and people on the ground in the event of an aircraft accident during landing or take-off.

The PSA as defined by the Queensland SPP is trapezoidal with a base width of 350m at the runway end, a length of 1,000m and a final width of 250m. The dimensions of the PSA enclose an area where the risk per year, to a representative individual, resulting from an aircraft crash is estimated to be in of the order of 1 in 10,000 ( $10^{-4}$ ). They also partly enclose an area of individual risk of the order of 1 in 100,000 ( $10^{-5}$ ).

Under the Queensland policy, a PSA is required at the end of a runway where:

- Regular Public Transport (RPT) jet aircraft services are provided; or
- Greater than 10,000 aircraft movements occur per year (excluding light aircraft movements<sup>5</sup>).

These criteria do not apply to either of the runways at Latrobe Regional Airport. However, the Queensland criteria have incorporated methodology adopted by the UK Department for Transport

<sup>5</sup> Light aircraft are generally defined as those with a maximum take-off weight (MTOW) of less than 5,700kg.



in defining Public Safety Zones (PSZs). Since the 1990s, a considerable amount of quantitative risk work has been carried out to determine PSZs for major UK airports based on tolerable individual risk contours. The size of the individual risk contours and hence the PSZ is proportional to the number of aircraft movements, the type and size of the aircraft.

Recent work undertaken by REHBEIN Airport Consulting suggests that airports with significant numbers of light aircraft movements may generate PSZs of comparable size to the current Queensland PSA dimensions, as a result of the generally higher crash rates of smaller aircraft.

Pending any policy guidance from the NASF in terms of public safety, it is recommended that the Queensland PSA dimensions form the basis of guidance to Latrobe City Council in terms of permissible future off-airport land uses.

## 7.7 IMPLEMENTATION OF SAFEGUARDING

Measures for safeguarding of the future airport operations should be implemented progressively through appropriate amendment(s) to the Latrobe Planning Scheme. This would require the following steps to be undertaken:

- This Latrobe Regional Airport Master Plan 2015, once adopted, should be introduced in the Latrobe Planning Scheme as a reference document;
- At a strategic level, it is imperative that a master plan be developed for the area identified as 'employment investigation area' within the *Traralgon West Structure Plan*, in order to determine what mix and allocation of uses is appropriate within this area. This work should take into account the airport safeguarding principles described in this section as well as how best to complement vision and development concept for airport described in **Sections 4.0 and 5.0** above. In particular, it must ensure that any residential uses in the area do not present any potential to compromise the future operations of the airport;
- In light of the proximity of the Latrobe Regional Airport and Latrobe regional Hospital, and the potential for interaction in terms of land uses, Latrobe City Council, the Latrobe Regional Airport Board and the Latrobe Regional Hospital should engage in discussions, with the objective of establishing a Memorandum of Understanding allowing both to work together in achieving their respective development objectives.
- Restrictions on the height of surrounding structures, vegetation and other objects which may present a hazard to existing or possible future aircraft operations will need to be implemented through the application of Schedules to the Design and Development Overlay (DDO) to the Latrobe Planning Scheme. The DDO Schedules will need to identify areas and applicable height restrictions which will form the planning permit trigger.
- The DDO Schedules will be based on a set of Obstacle Limitation Surfaces required to ensure the safety of future aircraft operations in accordance with the Civil Aviation Safety Regulations Part 139 and the minimum standards required by the Civil Aviation Safety Authority set out in **Figure G**.



- The strategic justification for the DDO will be provided through the adoption of the Final Latrobe Regional Airport Master Plan 2015 and the need for Council to enable the vision set out in the Master Plan to be realised.
- Land use restrictions on inappropriate development are currently implemented through an Airport Environs Overlay (AEO). The AEO should be based on an Australian Noise Exposure Forecast contour map which has been endorsed for technical accuracy by Airservices Australia. The ANEF is a forecast of future aircraft operations expected as a result of the realisation of the Master Plan and not a measure of the noise footprint of existing operations.
- It is justifiable and permissible to establish an ANEF based either on a long-range (beyond 20-years) timeframe or to represent the expected ultimate development of the airport. Given the long-term nature of land use zoning and the irreversibility of allowing incompatible development, a long-range ANEF has been prepared consistent with the development vision of the Master Plan. This ANEF has been endorsed for technical accuracy by Airservices Australia.
- The Airport Environs Overlay in the Latrobe Planning scheme should then be replaced with the updated long range (2050) ANEF. As the ANEF preparation and endorsement process can take some time, in the interim, the current AEO remains relevant and should be retained within the Planning Scheme.
- A set of N-above contours reflecting the advice of the National Airports Safeguarding Framework has been prepared in association with the updated ANEF. These are included at **Appendix E**. Council should investigate and keep under review the ability to incorporate the N-above contours within the Latrobe Planning Scheme in a manner which can guide future planning decisions and inform the public of the expected impacts of airport operations as a supplement to the ANEF.
- Council should consider the windshear, wildlife hazard, wind farm, lighting and public safety guidelines, as outlined in **Section 7.6**, when assessing planning proposals around the airport (but not apply planning controls for these matters at this stage pending completion of the State Government's work on implementing NASF and further work by NASAG relating to Public Safety Areas).





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**APPENDIX A**

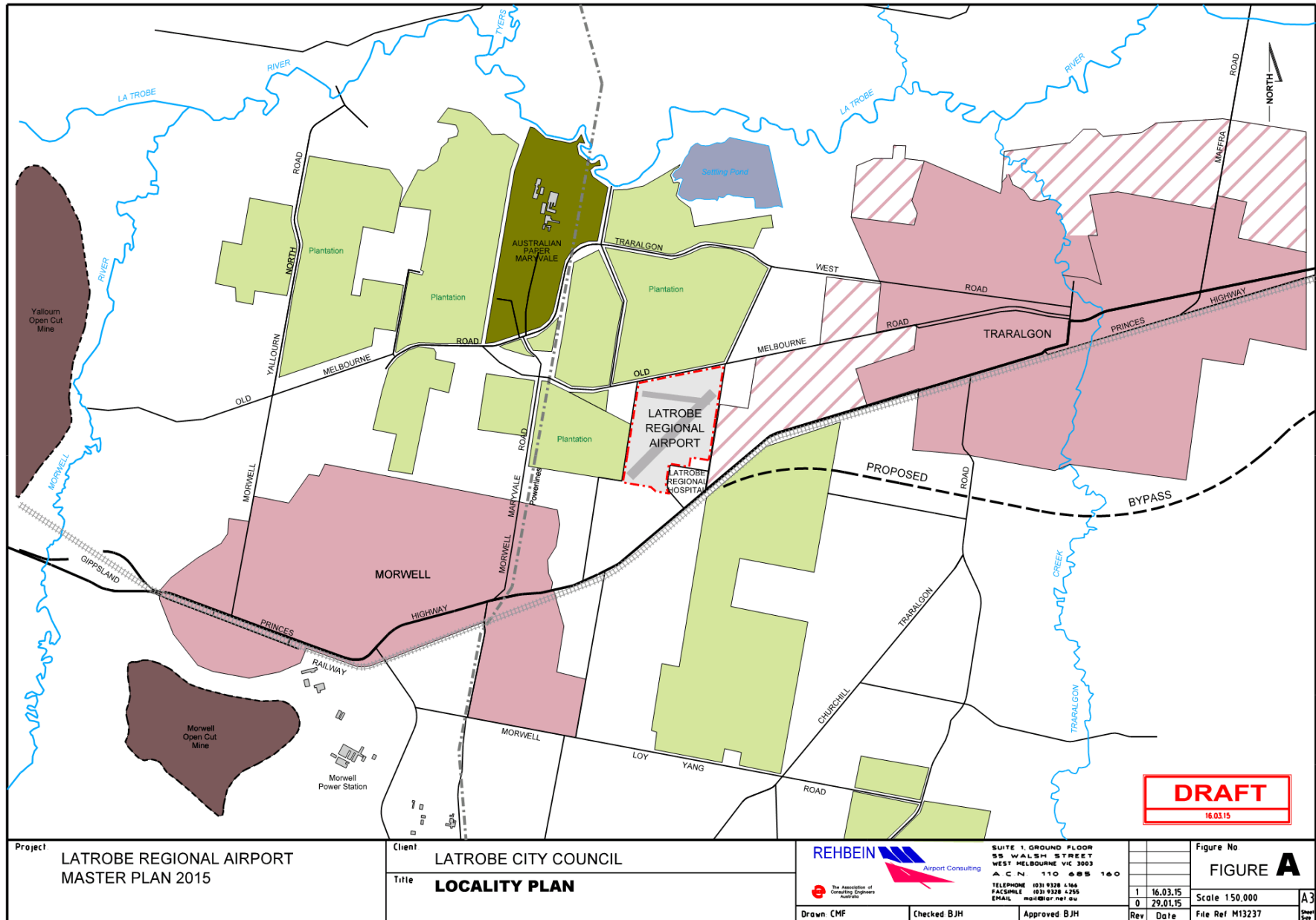
**FIGURES**



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Project  
**LATROBE REGIONAL AIRPORT  
 MASTER PLAN 2015**

Client  
**LATROBE CITY COUNCIL**

Title  
**LOCALITY PLAN**

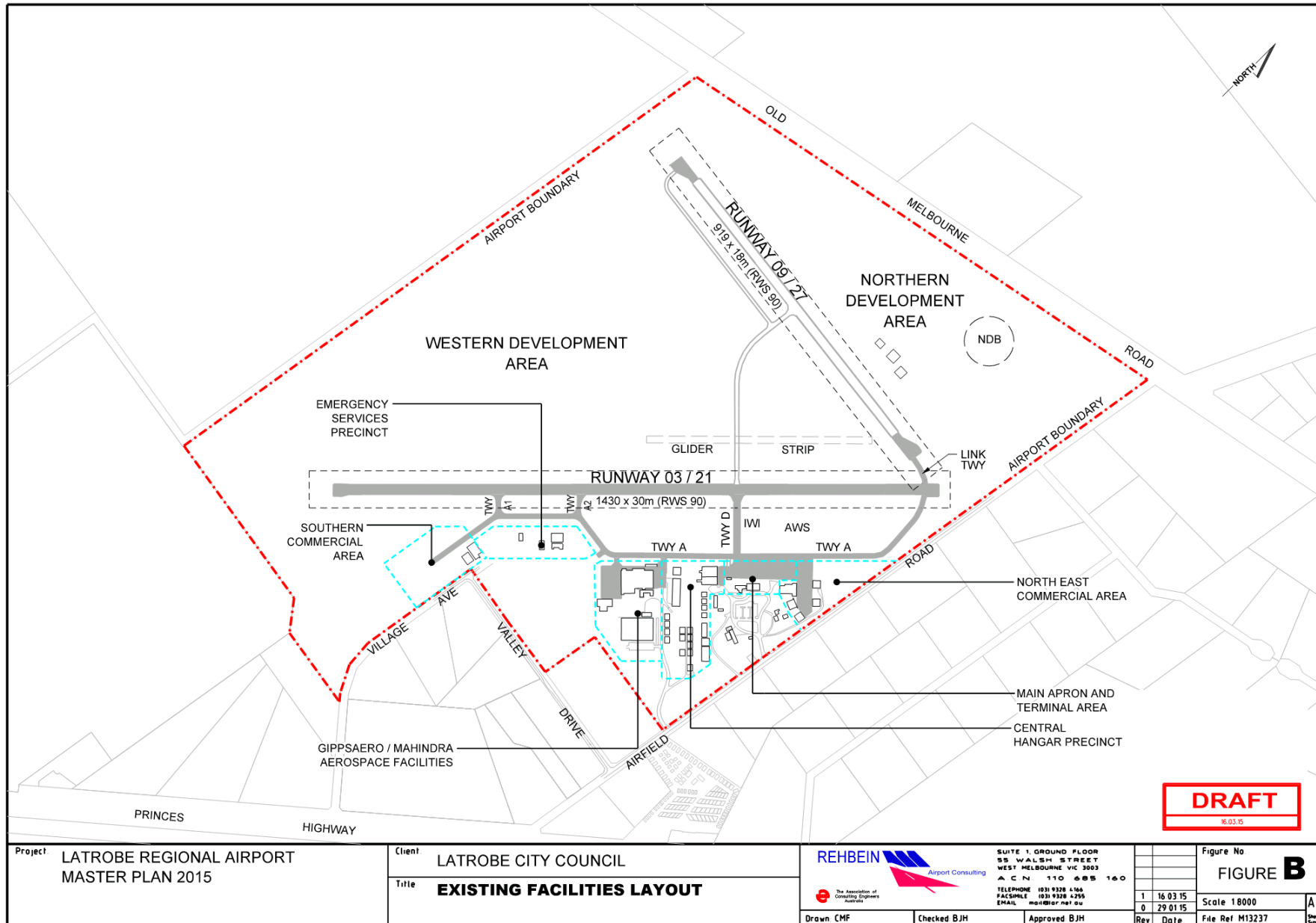
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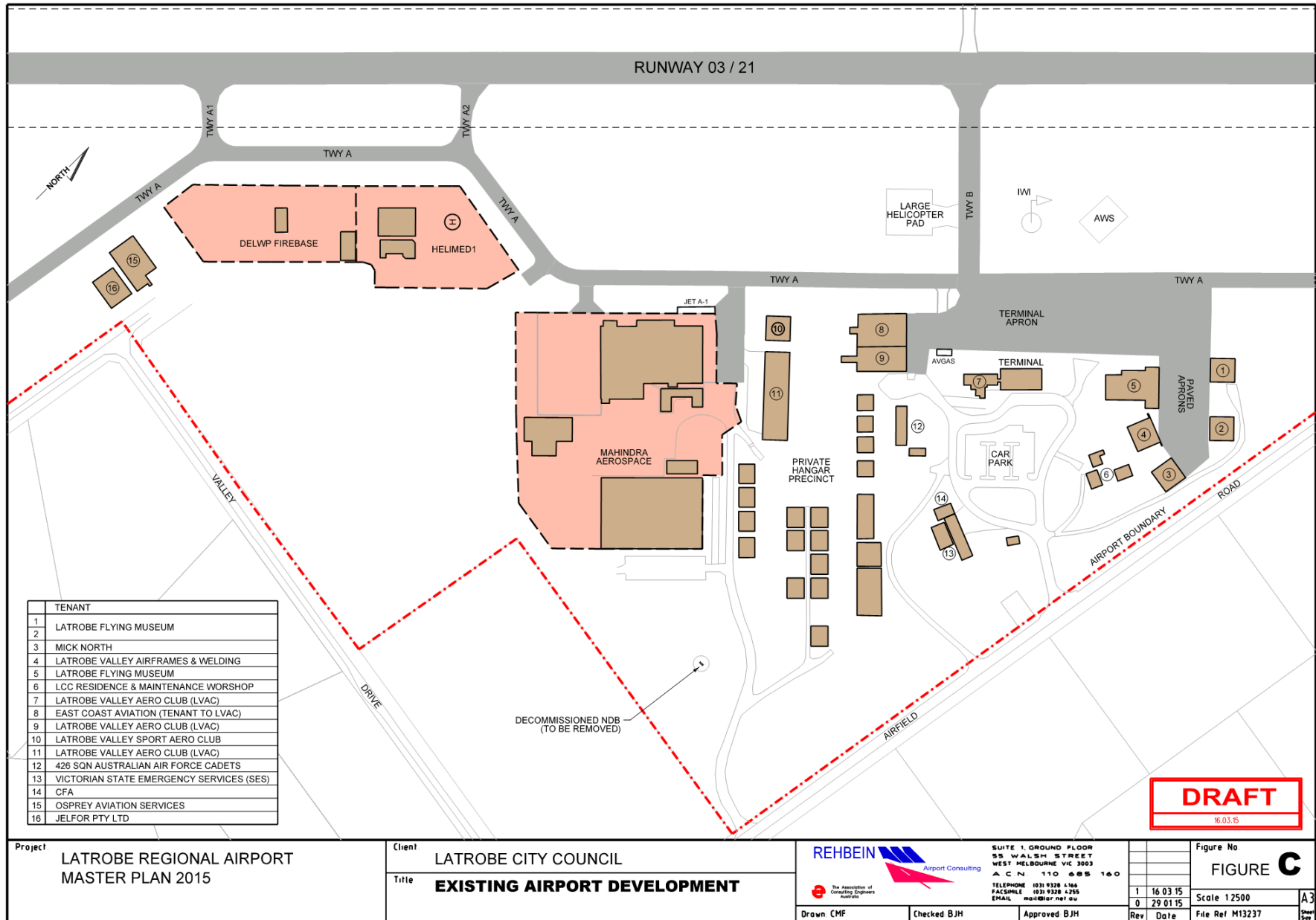
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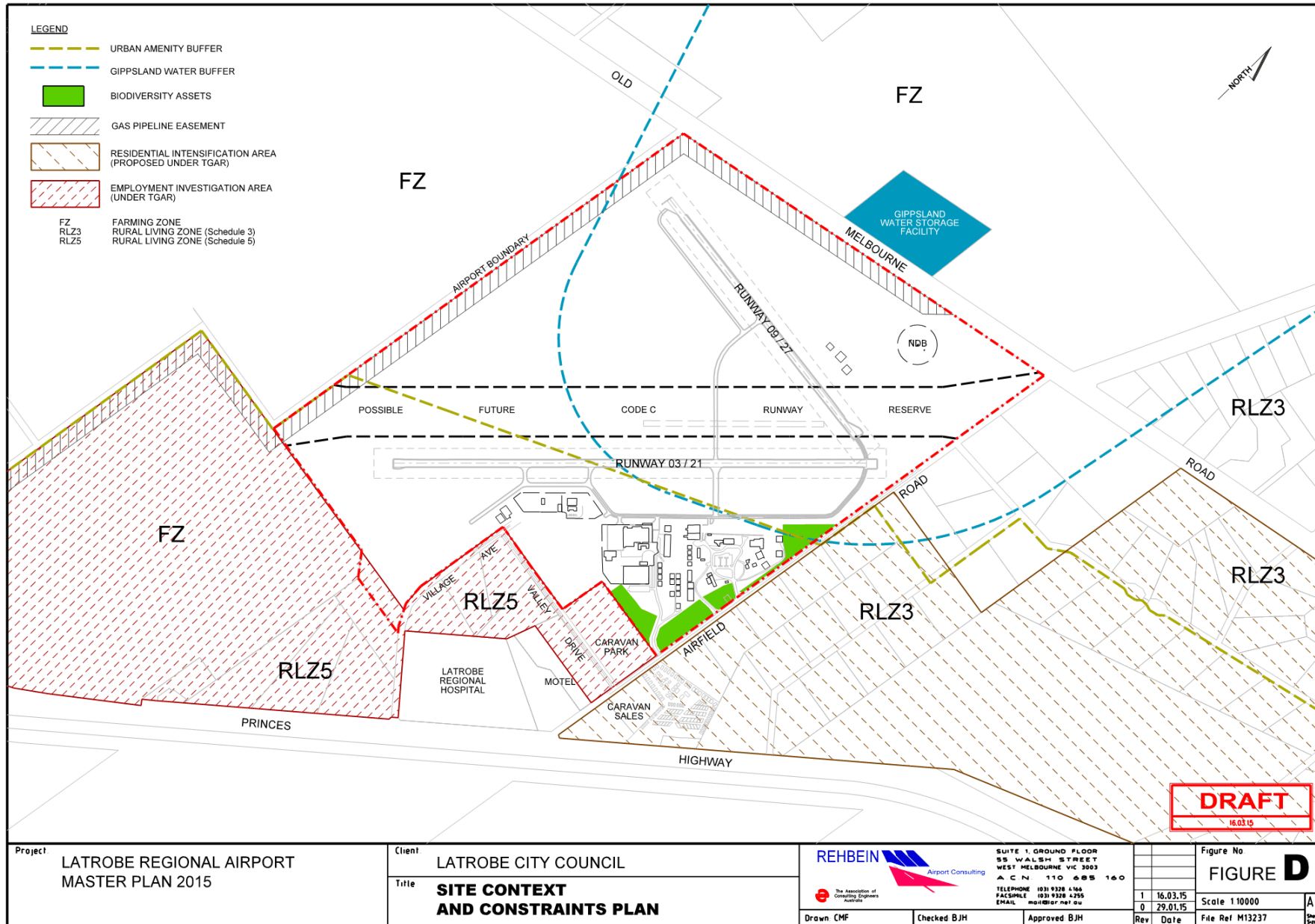
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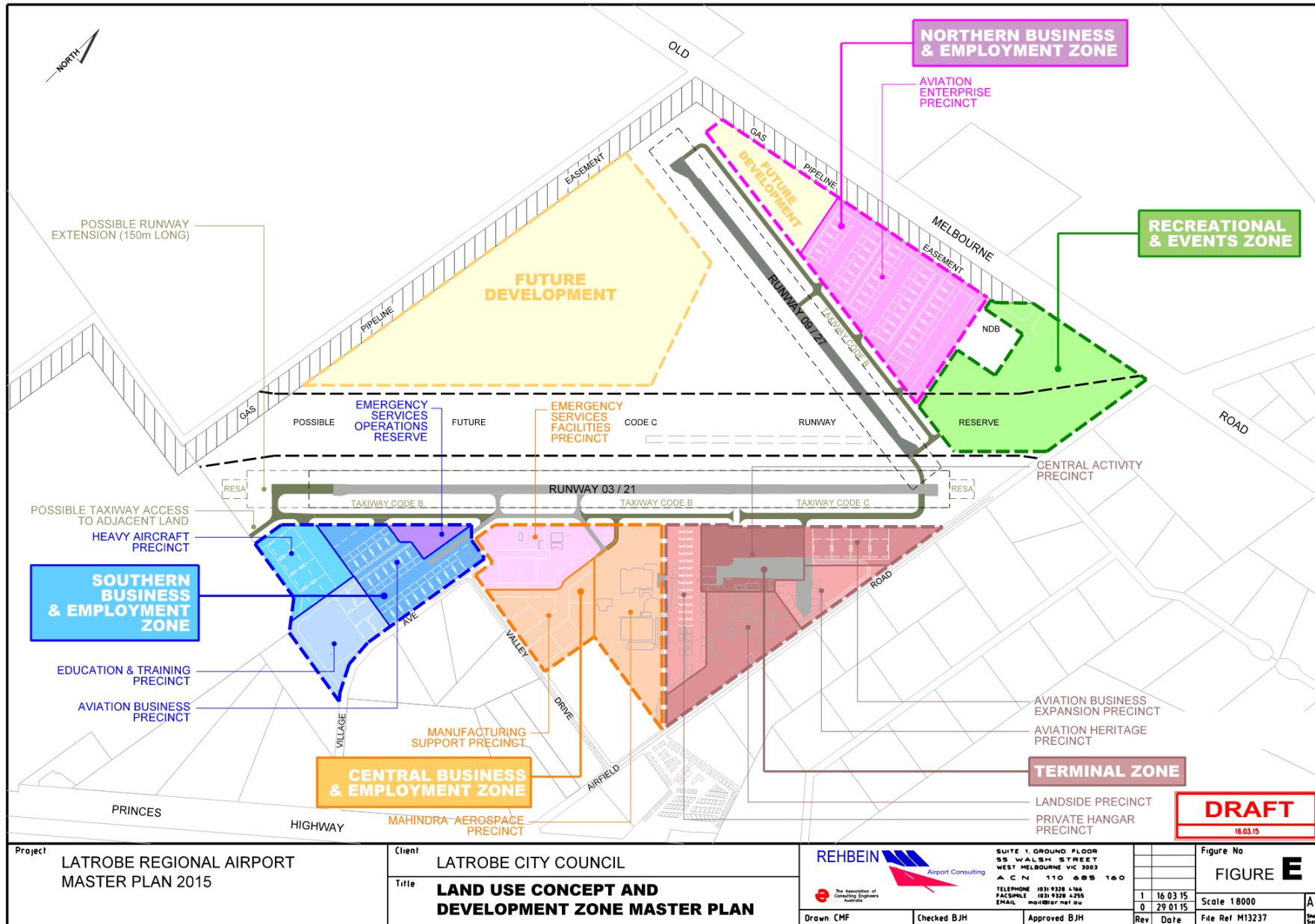
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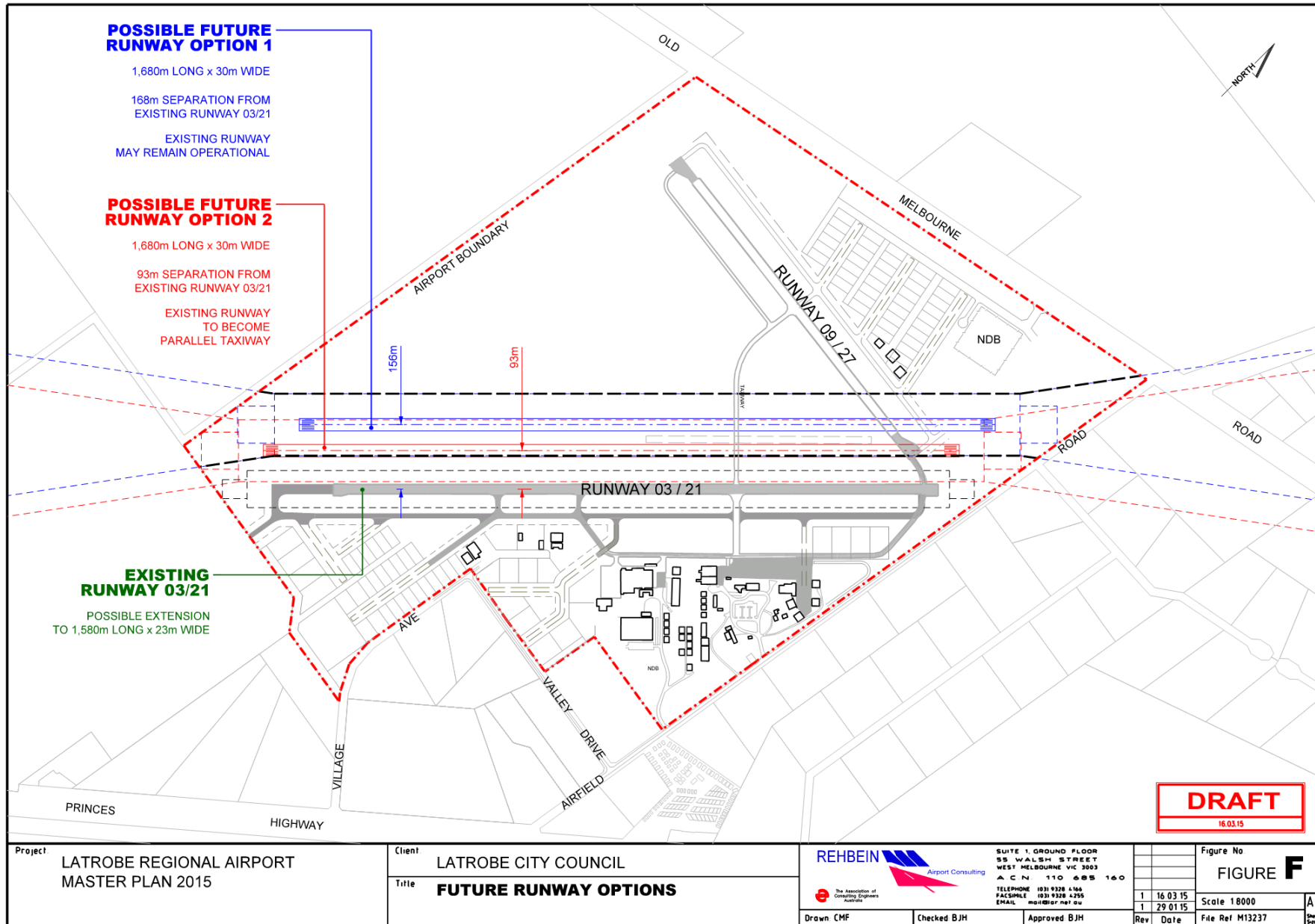
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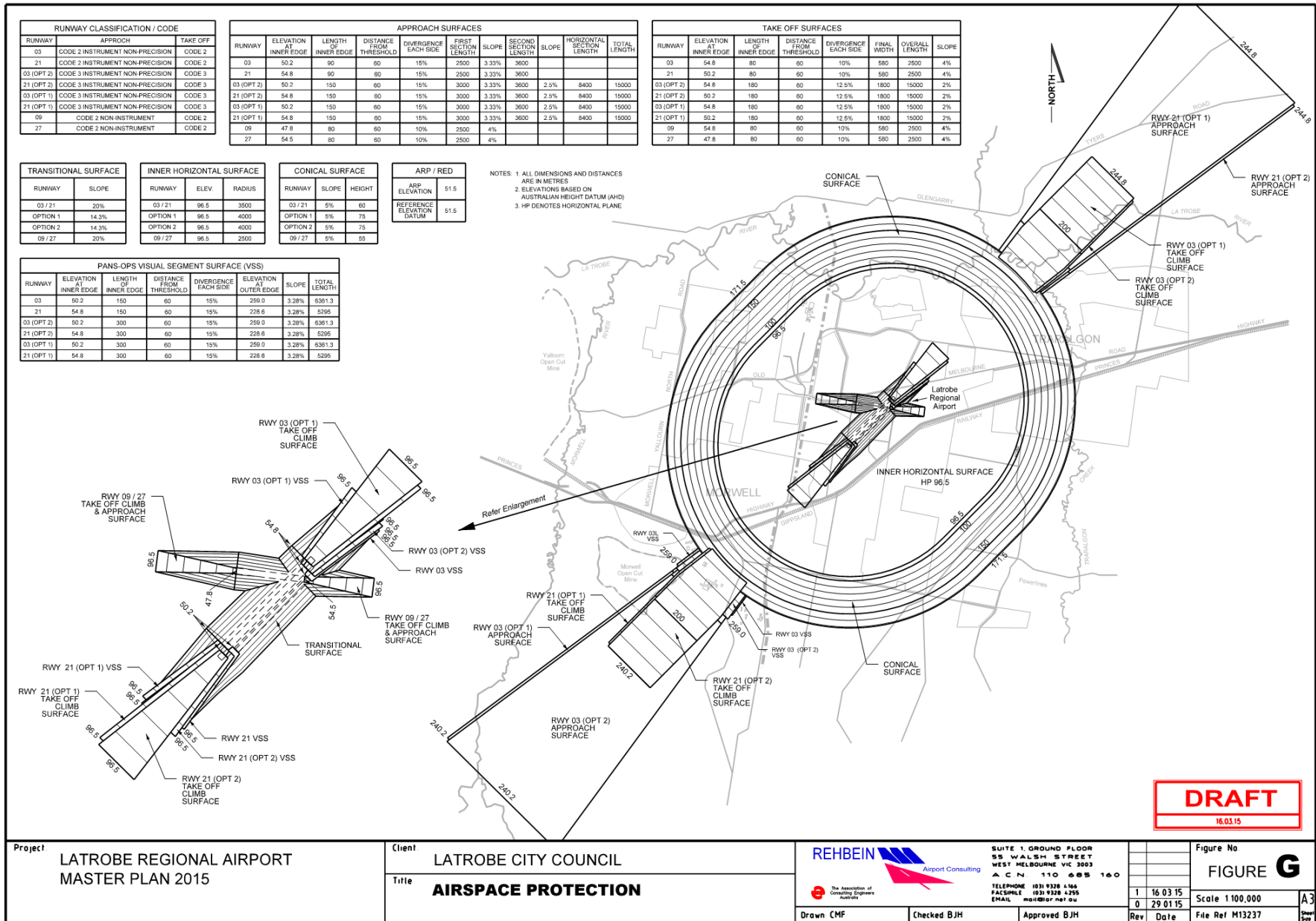


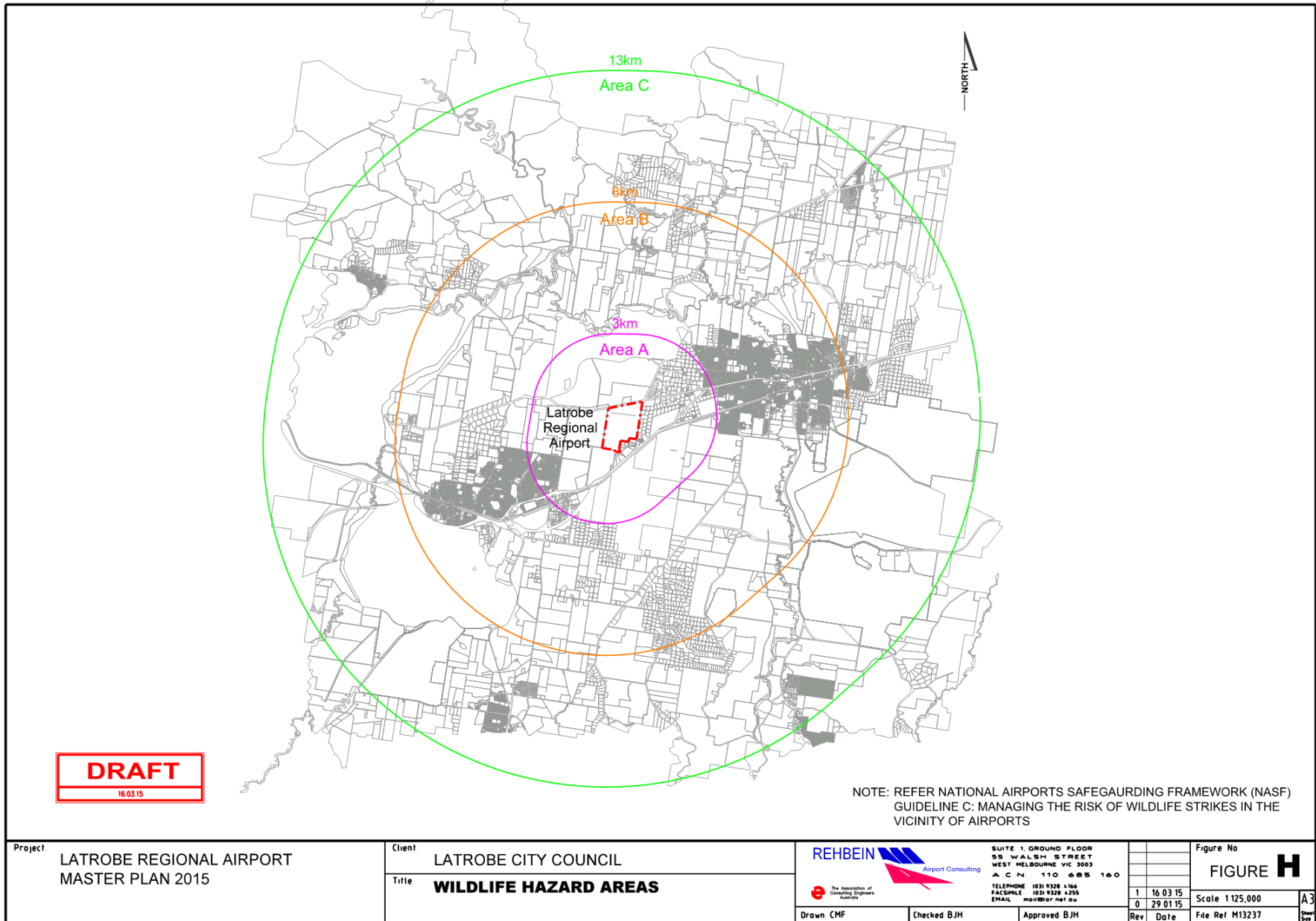


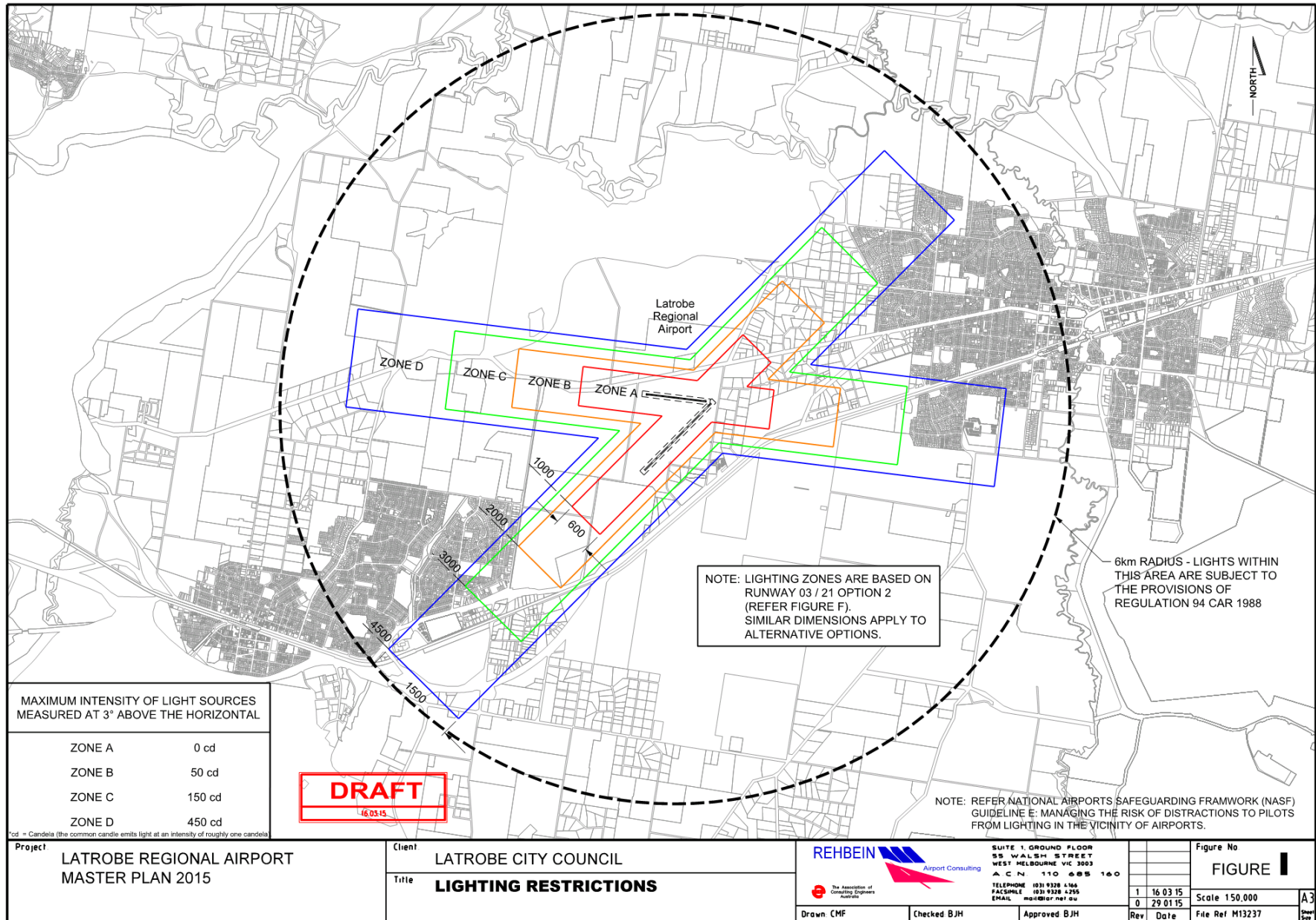


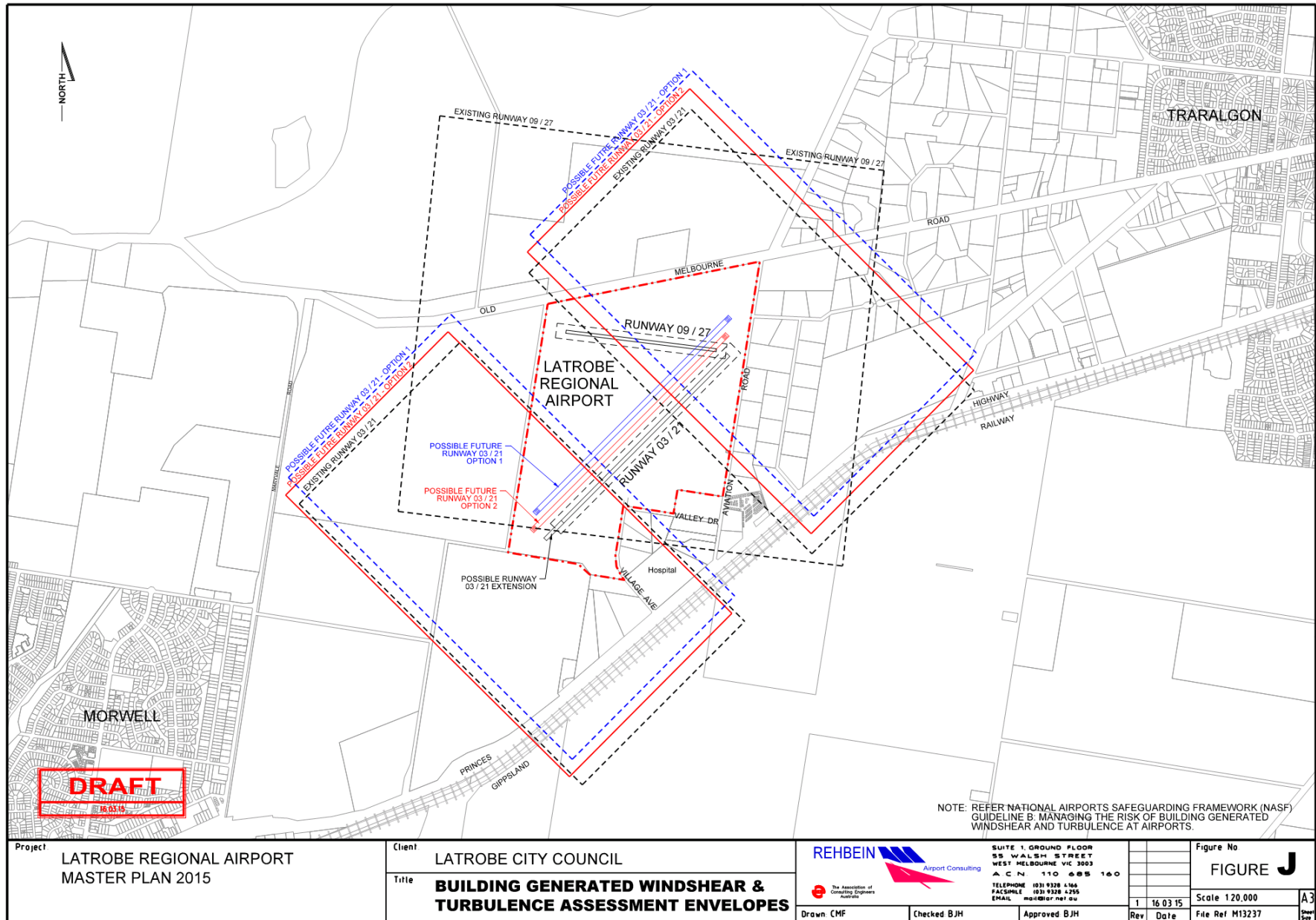














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## APPENDIX B

### TRARALGON WEST STRUCTURE PLAN



traralgon west structure plan  
traralgon growth areas review  
august 2013





The Traralgon West Structure Plan was undertaken by **hansen partnership** as part of the Traralgon Growth Areas Review.

The Traralgon Growth Areas Review is a shared initiative of the Victorian State Government and Latrobe City Council.

August 2013

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## 1 introduction

The *Traralgon West Structure Plan* will become a key guiding document designed to shape the future development of a significant area of land strategically located between the Latrobe City towns of Morwell and Traralgon. The structure plan was commissioned by Latrobe City Council in 2010 as part of a broader long term growth strategy known as the *Traralgon Growth Areas Review* and was undertaken by hansen partnership pty ltd (urban planning, urban design and landscape architecture), in association with Cardno Grogan Richards (traffic and engineering) and Tim Nott (economics).

Latrobe City Council has a responsibility under the State Planning Policy Framework to ensure that sufficient land is available for urban growth within the municipality. The *Traralgon Growth Areas Review* was undertaken due to a number of critical factors that have, or will, put pressure on the ability of Traralgon and surrounds to accommodate likely future development. Among these factors is the State Government decision to nominate the northernmost alignment for the future Traralgon Bypass. That decision had a direct impact on the adopted *Traralgon-Morwell Corridor Concept Plan (2007)* which earmarked a large area of land (approximately 500 ha) for future urban growth, south of the confirmed highway bypass alignment.

Latrobe City has therefore needed to revise its current strategies to accommodate future urban growth, as land to the south of the proposed bypass is no longer feasible nor is it a desirable settlement outcome. In addition to this, recent strategic assessments (undertaken in 2009) of current land supply estimates in Traralgon and surrounds indicated there was a substantial shortage of residential land earmarked for future urban needs and that a number of possible areas had significant constraints that limit where urban growth can be located. While recent rezonings (Amendments C47, 56 and 58) may have alleviated some of the short term pressures, these pressures will remain in the longer term.

The *Traralgon Growth Areas Review* comprises three separate documents:

- A *Background Report*, which investigated both the existing situation on the ground in relation to the location of land uses but also constraints to development in the wider Traralgon area.
- The *Traralgon Growth Areas Framework*, which looks longer term at the identification of sustainable directions for growth and the policy and strategies which may be required to achieve this.
- The *Traralgon West Structure Plan* (this document) which is designed to provide guidance in relation to a strategically important area of land currently experiencing ad-hoc or inefficient development and facing increasing development pressures.

These reports form the collective findings of the *Traralgon Growth Areas Review*, although each document, including this Structure Plan, can be read as individual parts.

This document seeks to establish an agreed vision for the *Traralgon West* area (which extends through to Morwell) to be realised over a period of up to 20 years. The Structure Plan is intended to establish a number of principles to guide future development of the area. It will also lay the foundation for amendments to the Latrobe Planning Scheme to facilitate significant changes in the land uses and structure of the area, in view of broader strategic issues facing Latrobe City.

### 1.1 project brief

The project brief set out the primary objectives of this project as follows:

- Recommend an equivalent or if possible superior long term outcome to the redundant *Traralgon-Morwell Corridor Concept Plan*;
- Identify and map appropriate residential urban densities in existing and future urban areas;
- Include structure plan maps that designate key land uses, in terms of precincts, zonings and linkages;
- Recommend appropriate changes to the Latrobe Planning Scheme (zone, overlay & ordinance) to facilitate the future use and development of land; and
- Respond to the outcomes of the stakeholder engagement process.

### 1.2 land affected by the project

The study area for the *Traralgon West Structure Plan*, shown in Figure 1 on the following page, is an irregular shaped area which extends along the north side of the Princes Highway between the existing urban extents of Traralgon and Morwell. It extends north towards the plantations associated with the Australian Paper Mill and existing parcels of land occupied by rural residential dwellings.

The study area covers approximately 1,150 hectares of land, of which around 550ha is currently used for low density residential development (in either a Low Density Residential or a Rural Living Zone) and around 200ha is occupied by the Latrobe Regional Airport. Other significant parcels of land in the area include the National Foods manufacturing site, the Latrobe Regional Hospital, the currently undeveloped 'Hollydale' site and the Traralgon Golf Course.

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### 1.3 preparing the structure plan

A number of studies have been undertaken to guide the development of Traralgon over the last two decades. These documents have shaped the growth and development of Traralgon West (or Traralgon-Morwell Corridor) in particular, including the *Traralgon-Morwell Corridor Concept Plan* prepared by Beca Consultants in 2007. The current study builds upon the base established by earlier documents, but also responds to the broader strategic objectives outlined in the *Traralgon Growth Areas Framework*. Consultation with stakeholders and the community further informs this document.



Figure 1: study area aerial

## 2 background

In order to establish a plan for the future development of the Traralgon West area, it is necessary to understand elements of the context that are likely to exert an influence on this precinct. These include the policy context of the area, the current land uses and planning controls, constraints to development within the precinct and existing development pressures.

### 2.1 regional context

The Moe, Morwell, Churchill and Traralgon network of towns is one of the key regional centres in Victoria. It is located 164km to the east of Melbourne along the Princes Highway. Traralgon is the largest of a string of towns which stretch out towards Lakes Entrance on the Victorian coast which include Drouin, Warragul, Moe, Morwell, Traralgon, Sale and Bairnsdale.

The municipality of Latrobe City has previously adopted a model of development that establishes a hierarchy of townships comprising four main towns: Moe (approximately 15,300 persons), Morwell (13,700) and Traralgon (21,700), and the satellite town of Churchill (4,600) which form what is known as a 'networked city' with the remaining settlements within the municipality being identified as 'small towns'.

The population of Latrobe that does not reside in the 'networked city' is distributed across seven smaller settlements and a rural hinterland. The Municipal Strategic Statement recognises that while each town within the 'network' provides many of the services and facilities required by its residents, they are not separate, self contained entities which operate in isolation from each other. The towns interact, to varying degrees, to create what is effectively a 'networked city', highlighting the need for good inter-town connections.

Most of Victoria's electricity generation facilities are located in the Latrobe Valley and the region has Australia's largest reserves of brown coal. Power generation resources and facilities, and open cut mines associated with them, dominate the landscape of large areas of the Latrobe Valley. This can be seen clearly on Figure 2.

To the immediate southwest of Traralgon is the Loy Yang Power Complex and open-cut coal mine. In addition, large areas of rural land to the south of Traralgon have been set aside as long term future coal reserves. As such, the land around Traralgon plays a role in the functioning of the whole state of Victoria, well beyond that which would otherwise be the case in a regional area.

Traralgon's large commercial centre includes the Stockland Shopping Centre, South Side Central (which incorporates the major regional railway station) and shops which line the attractive Franklin, Seymour and Hotham Streets. The landmark building in the town centre is the elegant post office building built in 1887.

To the immediate west of the study area is the Mid Valley Shopping Centre which provides a range of large format retail uses such as Bunnings, Target and Big W as well as supermarket and specialist retail stores. Cinema and other entertainment options not available elsewhere mean this centre attracts residents from a wide catchment.

Regional facilities include the Latrobe Regional Hospital, a purpose built 257-bed, fully integrated health service located at Traralgon West, and a University of Ballarat campus at Churchill, 10 kilometres to the southwest of Traralgon.

These services, facilities and retail offering serve a very large catchment. Anecdotal evidence suggests the retail opportunities of the town, as well as larger scale infrastructure such as the Latrobe Regional Hospital, and entertainment such as nightclubs attract people from the full extent of Gippsland. As such, Latrobe City plays a role as the 'capital' of Gippsland.

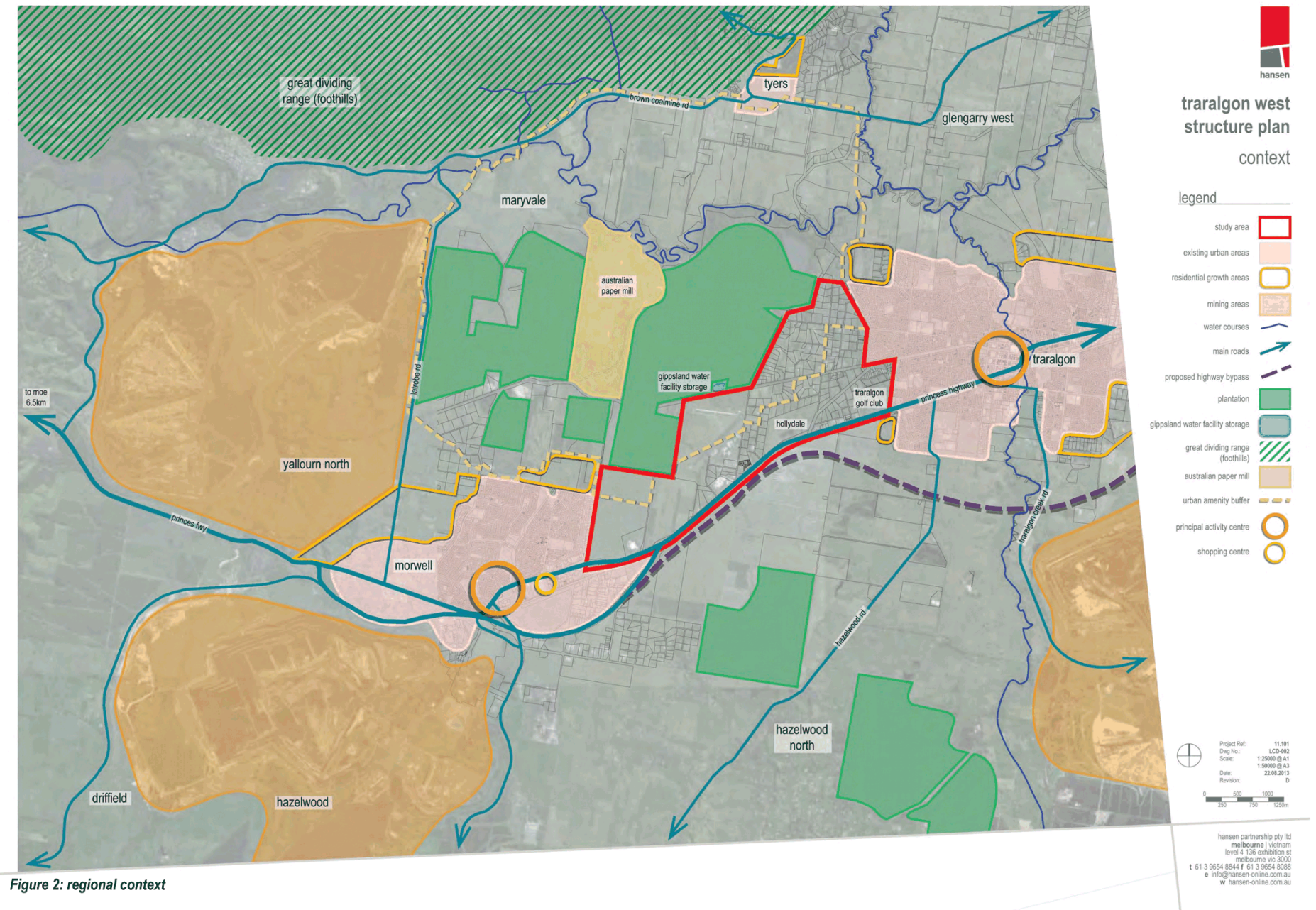


Figure 2: regional context

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## 2.2 current land use and development

The Traralgon West Precinct is more accurately described as the Traralgon-Morwell Corridor and encompasses land uses which occur in the existing 'urban break' between the developed urban areas of Morwell and Traralgon. The land is currently used for the following purposes:

- The Traralgon Golf Course is located on the Princes Highway at the eastern edge of the precinct.
- Large areas of the precinct are used for low density residential uses. While some sections of the land are zoned Low Density Residential and others are zoned Rural Living, both areas are developed with similar lot sizes of between 1.5 and 3.5ha. Limited lots within the LDRZ land have been subdivided down to the allowed minimum lot size of 0.4ha. Conversely, while the RLZ has a default minimum lot size of 8ha, within the study area the schedule to the zone allows subdivision down to 2ha. The majority of these lots have been developed with one dwelling.
- A strip of around 10 lots zoned Special Use along the Princes Highway are designated as an 'Urban Gateway' under the Latrobe Planning Scheme. These lots accommodate almost exclusively car and caravan yards and associated businesses.
- A very large site located centrally within the precinct's Princes Highway frontage is known as 'Hollydale'. While this land is currently mostly undeveloped (with one dwelling located on the site) there have been a number of concepts suggested for the land, including higher density residential development and bulky goods retailing.
- A number of sites within the precinct are used for accommodation purposes within the Rural Living Zone, including sites used for retirement living, hotels and caravan parks. These uses are primarily clustered around the Latrobe Regional Hospital.
- The Latrobe Regional Hospital is located on the Princes Highway at the intersection with Airfield Road. The hospital also supports a number of associated uses such as consulting suites. A masterplan has been prepared by Latrobe Regional Hospital to guide the future development of the site.
- Large portions of the land are also currently used for non-intensive, non-residential uses or are not currently developed. The majority of such land is zoned for farming. A portion of this land was also set aside for many years for the diversion of the Morwell River. The Special Use Zone which protected this corridor has recently been removed and there are various other potential uses for the area that are subject to further investigation.
- The Latrobe Regional Airport occupies a large (approx 200ha) site central within the precinct. The airport has two runways, with the main runway aligned on a south-west / north-east alignment and a smaller runway running east / west. A number of buildings associated with the airport are located in the south-east corner of the site, where access is provided off Airfield Road. The adopted masterplan for the site seeks to intensify development on the site and was partially implemented through Amendment C26, noting that the masterplan is proposed to be revised and updated. The airport has been identified as one of three "concentrated employment zones" in Latrobe City (*Latrobe Economic Sustainability Strategy 2011*). The employment zones have an emphasis on job creation, industry diversification and the ability to offer opportunities to prospective investors.
- To the immediate north and west of this site are plantations associated with the Australian Paper Mill which are unlikely to see change.
- Towards the Morwell end of the precinct there is a large parcel which accommodates the National Foods / Lion major processing site.

- The remainder of the land between National Foods / Lion and the existing urban edge of Morwell is currently vacant. However this land has been rezoned to allow for industrial development. It is also expected to accommodate a substantial bulky goods retail cluster through rezoning approved under Amendment C39 part 2.

## 2.3 current land use planning controls

Existing zoning controls for the precinct are outlined below and illustrated on the following plans:

- Land adjoining Morwell within the study area is zoned Industrial 1, Business 4 or Farming Zone;
- The airport, hospital site and strip of car yards are zoned Special Use;
- Land at the western edge of Traralgon and the Traralgon Golf Course are all zoned Rural Living, while the Hollydale site remains in a Farming Zone; and
- Land immediately contiguous to the Residential 1 Zone of Traralgon is zoned Low Density Residential.

A number of overlays also apply to the area, in particular the western end of the precinct, as follows:

- A Development Plan Overlay applies to the Industrial 1 zoned land adjacent to Morwell.
- A Design and Development Overlay acts as a permit trigger where a major gas pipeline runs through the site and where the helipad associated with the hospital is located.
- There is currently an Airport Environs Overlay which affects land around the airport and a Design and Development Overlay was applied through Amendment C26, which has implications for the allowable height of buildings in proximity to the airport.
- Floodway and Land Subject to Inundation Overlays affecting land along waterways, have been implemented through Amendment C9).

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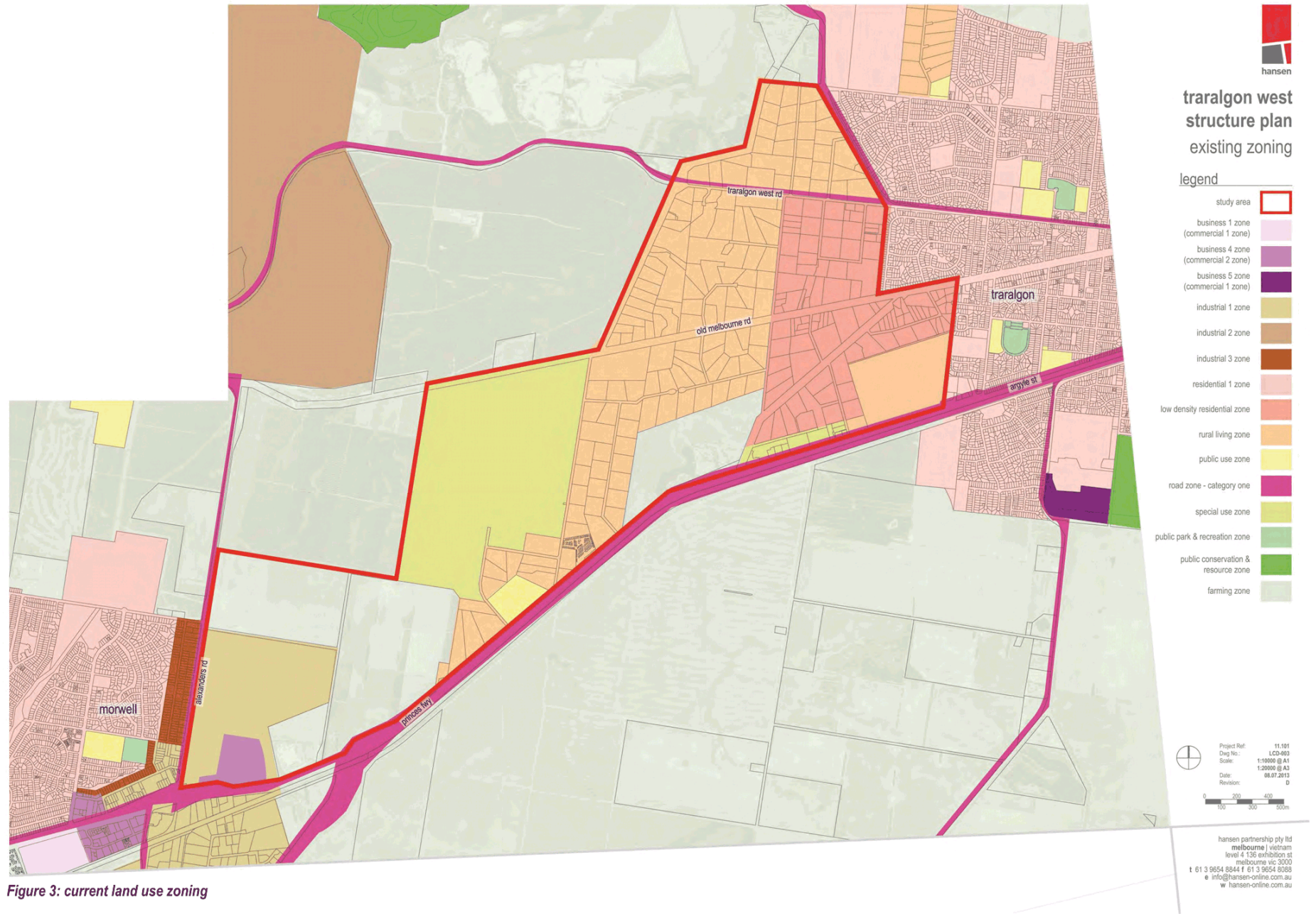
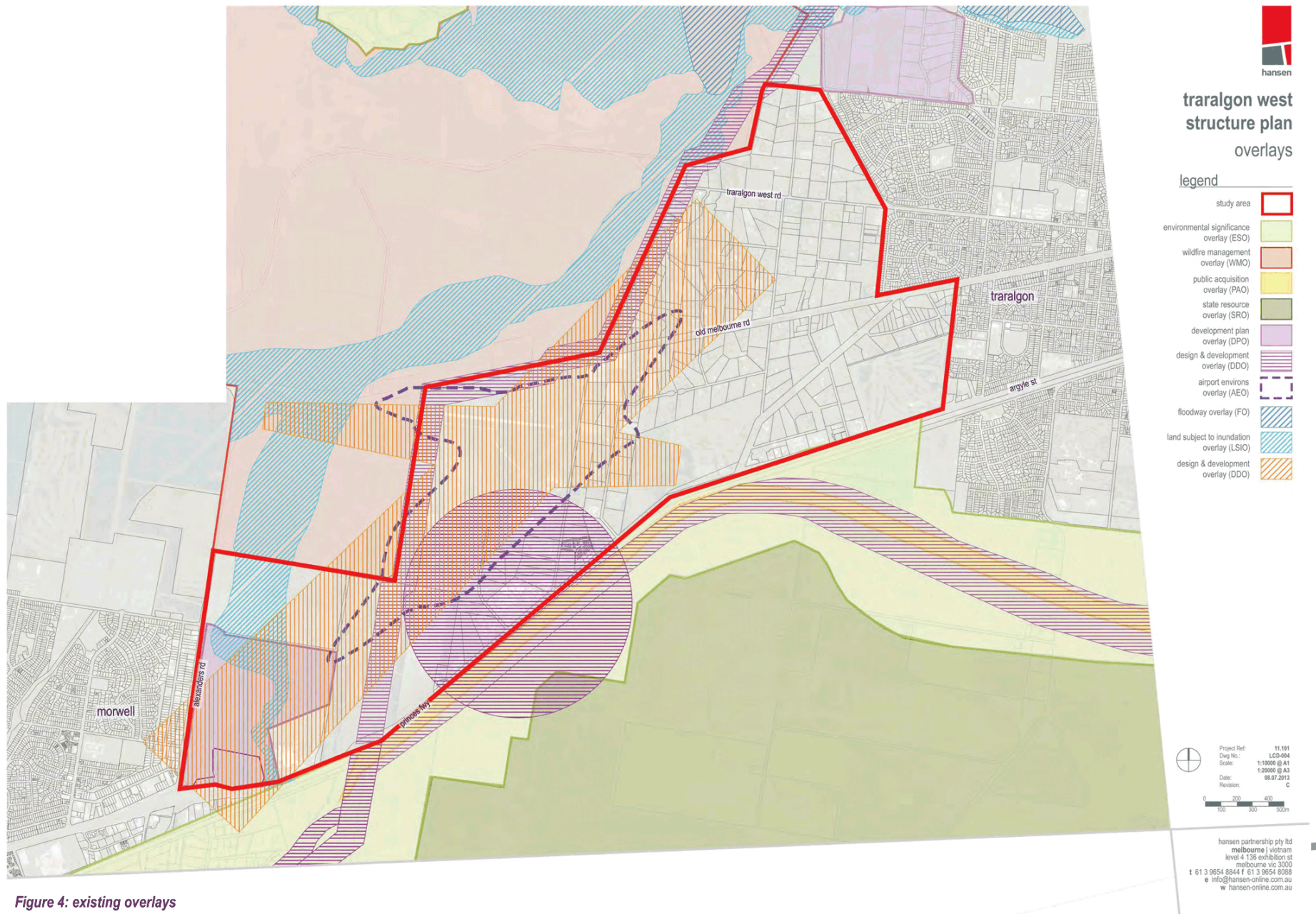


Figure 3: current land use zoning





## 2.4 constraints within traralgon west

There are some significant constraints to the development of this precinct. Development to date has been relatively ad-hoc and until recently, local planning policy has encouraged the retention of a 'non urban' break between Traralgon and Morwell. This 'break' was compromised by incremental development of motels, caravan parks, car yards and the presence of the Latrobe Regional Hospital. Much of the land within the study area, where it adjoins the existing urban area of Traralgon, is already developed with low density or rural living uses as a result of previous policy positions. In seeking to reposition this corridor and promote more sustainable development of the City as a whole, some of the important constraints which must be considered include:

- The existing fragmentation of the land, where landowners may have differing aspirations for their land and coordination of development may be difficult.
- Flooding associated with drainage lines which run through the precinct.
- Lack of existing connectivity through the study area.
- Potential impacts from noise / odour associated with the Australian Paper Mill and the extent of any urban amenity buffer to residential development that would be required to manage this to avoid conflict.
- Impacts in terms of safety or noise buffers to protect long term uses that may be required in relation to the Latrobe Regional Airport, including the existing Airport Environs Overlay.
- Lack of public transport or cycle lanes within the precinct.
- Potential bushfire impacts due to the proximity of plantations to the northwest of the precinct.
- Buffer requirements associated with the Gippsland Water storage lagoon located to the immediate north of the airport.

The extent of some of these constraints is identified on the following page.

## 2.5 opportunities for traralgon west

There are also a number of clear opportunities available which can be maximised to obtain benefit not just for new and existing residents in the immediate area but also for the broader Latrobe community as a whole. These include:

- Maximisation of the opportunities to develop employment generating uses supported by the airport and hospital.
- Improvements to public transport potential due to proximity to the Princes Highway.
- Locational advantage for residents between two Principal Activity Centres (Morwell and Traralgon).
- Proximity to Mid Valley Shopping Centre.
- Potential to provide interesting and diverse areas of public open space that can provide links to the wider open space network of Traralgon.
- Clear opportunities for excellent cycle and pedestrian linkages.
- The presence of two large strategic redevelopment sites that could act as catalysts for development.
- Highly amenable landscape setting.
- Opportunities to provide additional land for long term industrial or other employment uses contiguous with existing identified areas.

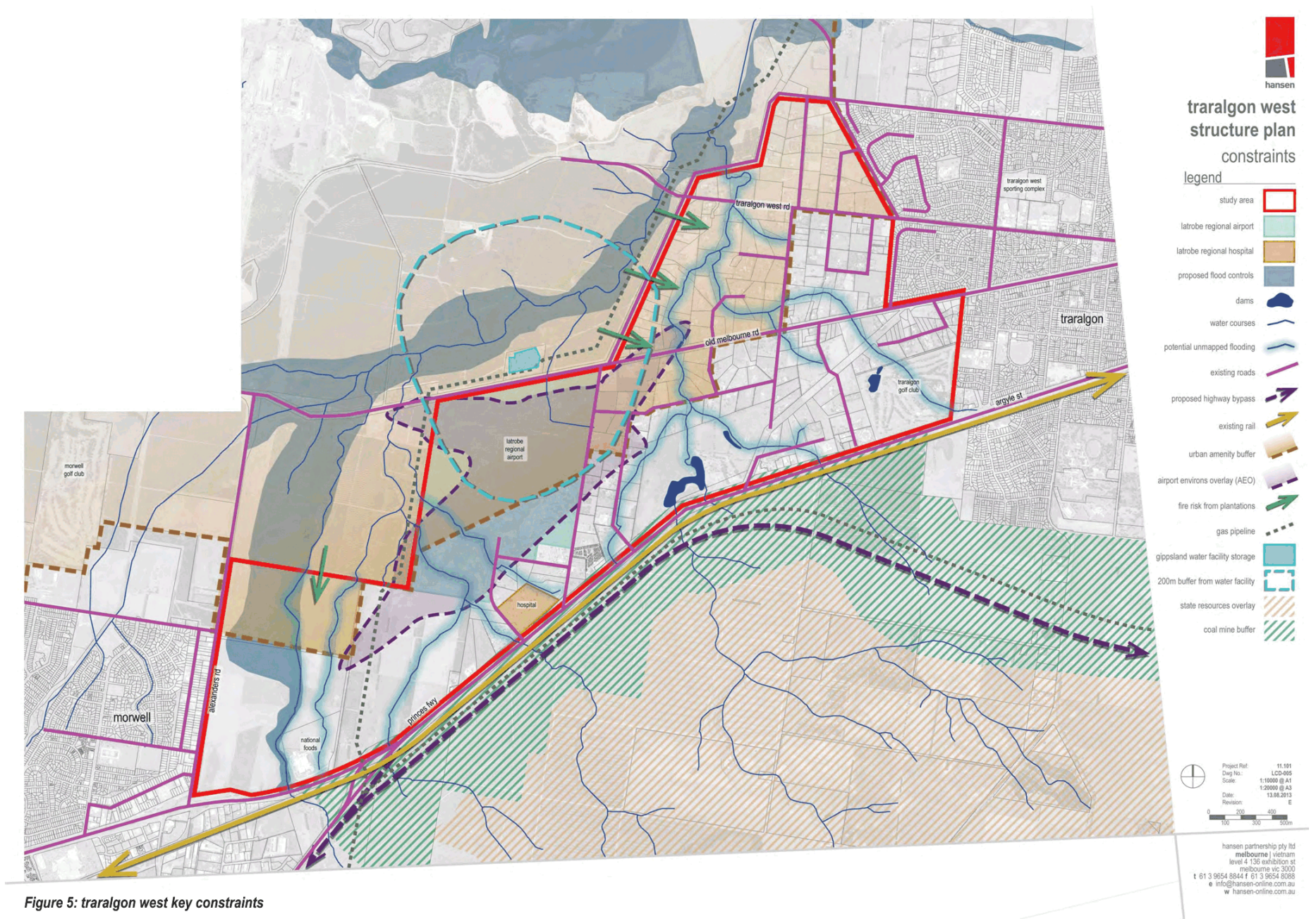


Figure 5: traralgon west key constraints

### 3 traralgon west structure plan

The long term strategic future of Traralgon West will evolve over time. However, this structure plan seeks to facilitate the transition of this important corridor to an area which better reflects the opportunities available within the precinct, while responding appropriately to the constraints which exist within the area. The precinct will develop over time into a higher density residential corridor in the areas closest to the Princes Highway. The northern areas will remain as lower density residential in order to respond to the position of this land both at the 'urban edge' and also in proximity to the Australian Paper Mill. Residential areas along the corridor will be strongly connected to the urban areas of both Morwell and Traralgon by sustainable transport options. While the corridor will primarily accommodate residential uses to the east of Airfield Road, there are opportunities for the development of employment generating uses on the land between the Latrobe Regional Airport and the Princes Highway which is more constrained for residential development but which offers exciting opportunities to support the growth and development of new and existing industries.

#### 3.1 key precinct principles

Key principles which should guide the development of this corridor include:

- The identification of the Princes Highway as a high frequency multi nodal public transport corridor. This should include rapid local bus services and on-road commuter cycle paths as well as rail services.
- The development of a Neighbourhood Activity Centre around the Latrobe Regional Hospital to provide services and facilities, both for residents of the higher density accommodation which exists in this area but also to provide for employees and users of both the hospital and the airport. This NAC should not compromise development in either the Morwell or Traralgon PACs.
- Consideration of the establishment of an additional train station to service the Latrobe Regional Hospital (allowing better access to regional users) and the residents and employees of this area.
- The development of the Old Melbourne Road and the existing Coopers Road road reserve leading to the 'Hollydale' site as key green links, providing not only vehicular access but priority cycle paths and landscaped pedestrian pathways (in addition to considerations of the Traralgon–Morwell shared path).
- The creation of a key corridor of open space leading from the large waterbody central on the 'Hollydale' site, along the creekline to connect with a broader system of new open space to be established to the north of Traralgon.
- Development of both the 'Hollydale' site and the Traralgon Golf Course in the longer term as medium density 'villages' in landscaped settings.
- Re-subdivision of identified low density and rural living land not affected by the urban amenity buffer for conventional residential development.
- Retention of lower residential densities in the northern areas of the precinct where there may be odour impacts arising from the presence of the paper mill. These areas may be able to redevelop over time as improvements to the management of emissions could reduce the extent of buffer requirements and should be reviewed periodically.
- Exploration of employment generating uses which may be suitable for land immediately adjoining the hospital and south of the airport identified as an 'employment investigation area' to support the Regional City role of Latrobe.
- Retention and potential long term expansion of the eastern industrial (and bulky goods) precinct of Morwell, to the north of existing zoned land.
- Clear policy to avoid 'strip' retail development fronting the Princes Highway in the study area.
- Clear movement networks and appropriate levels of highly accessible public open spaces, community infrastructure and local shopping opportunities.



Figure 6: traralgon west structure plan

### 3.2 land use

Land uses proposed within the precinct are identified on the following land use plan as follows:

- **AREAS 1 & 3:** The existing areas of industrial and Business 4 (bulky goods) zoned land to the immediate east of Morwell are retained.
- **AREA 2:** Land to the north and east of the industrial area is retained as farming zoned land to protect longer term opportunities for the expansion of the industrial precinct. The need to maintain areas to accommodate additional industrial development in the longer term to protect the economic sustainability of the city is recognised by the identification of this land. Any development in this area will need to take into account appropriate buffers to the identified residential growth area on the western side of Alexanders Road.
- **AREA 4:** The hospital should be retained and expansion or intensification of health related uses should be encouraged. This may occur either through intensification of the existing area shown on the plan or through expansion into the 'employment investigation area'.
- The development of higher densities of residential development, including retirement villages and aged care, proximate to the hospital on otherwise unconstrained land (as is currently occurring) should continue on unconstrained land, preferably to the east of Airfield Road in order to not preclude development of employment generating uses.
- Land to the immediate west and north of the hospital should be retained as an 'employment investigation area' to be developed with either employment generating uses which are directly related to the hospital or airport. Regard should be had to the masterplans undertaken for both those key facilities and appropriate zoning should be considered once further detail regarding these land uses is determined.
- The airport should continue to be developed to make better use of the opportunities for more integrated development on the site. The existing masterplan for the site is currently being reviewed to ensure consistency with the Australian Paper Mill urban amenity buffer and as part of an assessment of economic development opportunities within the area.
- A Neighbourhood Activity Centre should be developed adjoining the hospital to provide service facilities and local shopping opportunities to both users and employees of the hospital and airport, and also to residents of medium density residential development in the area. This centre will provide a clear focal point for the "concentrated employment zone" (*Latrobe Economic Sustainability Strategy*) to be developed in relation to the airport as well as facilitating health related development. This centre should have strong connections to sustainable transport options, as well as pedestrian pathways. The centre should not compete with the larger activity centres of Morwell, Traralgon or Mid Valley, but may contain a small supermarket. A specific site has not been identified for this centre as the appropriate extent of this centre will need to be determined prior to an area being identified. This should be further explored at a broader level through an Activity Centre Strategy. However, the centre should be located close to the intersection of the Princes Highway and Airfield Road close to the Latrobe Regional Hospital.
- **AREA 5:** Existing Low Density Residential and Rural Living zoned land in the south of the precinct (as identified on the following plan) should intensify through development at conventional residential densities. A Development Plan should be prepared for the identified areas in collaboration with the existing landowners to ensure that appropriate connections and infrastructure are established as densities increase. Appropriate mechanisms to ensure developer contributions to fund infrastructure will also need to be considered.
- **AREA 6:** The 'Hollydale' site and Traralgon Golf Course should be developed with medium density urban 'villages' within a landscape context. This will diversify the housing offer within Traralgon as a whole and should be designed as 'sustainable' housing.
- Large waterbodies on those sites should be retained to provide areas of public open space, with the central waterbody on the 'Hollydale' site to be designed as a 'focal' area of open space with an important interface with the Princes Highway. These areas could connect through to an open space corridor to be established along the main drainage line through the area and to the broader new area of open space recommended to be established to the north of Traralgon in the *Traralgon Growth Areas Framework*.
- **AREA 7:** The remainder of existing Rural Living zoned land in the precinct should be retained as such, to respond to the potential impacts of odour associated with the Australian Paper Mill. Opportunities for new development in line with the potential allowable under existing zoning are supported where they are supported by the EPA and Australian Paper.
- The existing strip of car sales within the precinct is identified as remaining; however the extent of that area along the highway should not be increased and further retail activities should be discouraged in this precinct.
- Two smaller Local Activity Centres have been identified within the precinct. These have been located within the 'urban village' strategic sites. While their locations are indicative only, the relationship between the eastern centre and Lavalla College is to be pursued to ensure that co-location of any community facilities is possible. The proposed Local Activity Centre on the 'Hollydale' site is identified as being located on the Princes Highway, adjacent to the existing car yards. This location ensures that the centres are distributed in a way that provides equitable access to residents within the precinct. These centres are identified as playing a local 'convenience' role only, and are not identified as providing supermarket or bulky goods retailing. The size of these centres will need to be confirmed as part of an Activity Centre Strategy or similar study that considers this area as part of the broader Traralgon or Latrobe City context.

### 3.2.1 bulky goods and medium density development on the 'Hollydale' site.

It is understood that there are a number of options which have been put forward for the future development of the large site within Traralgon West known as 'Hollydale'. There is some pressure to allow development of this site for the purpose of bulky goods development. There is a clear strategic rationale for encouraging the uses of the land as identified above, which is elaborated further below.

The site is one of two large 'strategic' sites within the Traralgon-Morwell Corridor which are relatively unconstrained. The other site is the Traralgon Golf Course discussed in the following section. As such, the 'Hollydale' site represents the most likely site for development within the precinct.

It is acknowledged that the site was identified as the third option for the identified bulky goods requirements of Latrobe City in the adopted *Bulky Goods Retail Sustainability Assessment* (March 2009). It is noted that this was identified as having advantages due to the low density nature of residential development around the site and the potential for co-location with other trade supplies or light industrial uses. Should the corridor be developed for primarily residential purposes, then the suitability of this site for bulky goods development would be subsequently reduced.

That report identified that around 5-7 ha of B4Z land was required in the short term (to 2013), another 5-7 ha in the medium term (to 2018) and that longer term needs (beyond 2021) be assessed at a later date to ensure that decisions responded to changes in the retail environment or context. Subsequent to that report being issued, Council has rezoned land in the east of Morwell and the east of Traralgon for bulky goods uses (as part of Amendment C39). Those parcels were the top two ranked parcels in the bulky good assessment and combined provide over 20 ha. This is well in excess of the 10 – 14 ha identified as required to 2018.

It is not considered appropriate to allow for the establishment of a third area of bulky goods retailing until such a time as the existing available land has been utilised, particularly given those parcels were identified as more suitable than the 'Hollydale' site. At such a time as the available land is diminished, providing additional land that is proximate to the existing bulky goods centre, rather than dispersing the use is recommended (and is supported by the existing assessment which recommends the establishment of defined precincts rather than standalone sites).

An additional assessment of bulky goods needs was provided by proponents of a development seeking to utilise the Hollydale sites for such purposes. This report (*Latrobe Bulky Goods Retail Need Analysis Traralgon West, MacroPlan Dimasi 2012*) identified that there was a need to provide land above and beyond that identified in the original MacroPlan report. However, a peer review of that assessment (Review of economic support for the Masters development proposal in Traralgon West, Tim Nott 2012) identified:

- There is no need to rezone any additional land to accommodate bulky goods uses and the two recently rezoned sites can easily accommodate demand to 2026.
- Both the original MacroPlan report and the more recent development justification are based on a significant underestimate of existing bulky goods retail space.
- The development of the Hollydale site would be unlikely to result in any net increase in economic activity or employment as the development would be balanced by losses by existing businesses. As such there would not be sufficient overall community benefit to strategically justify (on the basis of economic development) an additional rezoning given existing available land.
- In addition, the assessment found that while the reduction in housing potential within Traralgon West would be modest, the impact on the development of a Neighbourhood Activity Centre at the hospital site would be compromised.

- Development of bulky goods on the relatively restricted Hollydale site may also compromise the ability for a more extensive precinct to develop. This may compromise the ability of independent bulky goods development to maximise benefits from co-location with an anchor tenant such as Masters in the longer term.

Furthermore it is considered that, due to the topographical and landscape characteristics of this parcel (including the presence of two large dams), there are clear opportunities for development of a more intensive residential use on the site. A medium density development on this site, within a landscape context, could go some way to offsetting the loss of land earmarked for residential development south of the Princes Highway. As such, the development of an integrated medium density residential development on the site is of strategic benefit to the broader area. Should the Princes Highway be established as a high frequency transit corridor, then residents in this precinct would have a high level of accessibility which is not found in all of the urban areas of Traralgon. While the use of the land for this purpose cannot be forced, there is considered enough justification to pursue this as a strategic objective through the *Traralgon West Structure Plan*.

### 3.2.2 traralgon golf course

The other large strategic development site within the Traralgon West area is the Traralgon Golf Course. However, although the golf club has the potential for medium density development, it does not mean that the club must develop their land. It allows for that opportunity in the longer term should the club management decide this is appropriate, either as a replacement for the club or part of a redevelopment of the course to include a housing component (as has occurred on many other sites).

The development of land to the north of the club at higher densities has been a long standing strategic aim, as identified through the Traralgon Structure Plan (at Clause 21.05 of the Latrobe Planning Scheme) and reflected in the inclusion of the land under DPCD's land supply calculations as 'future residential'. The land was originally proposed for rezoning under Amendment C58 but this rezoning did not proceed.

This Traralgon Growth Areas framework supports the rezoning of both the golf course itself, and the Low Density Residential land to the north land to the General Residential Zone. However, any rezoning of both areas of land would need to be accompanied by a Development Plan which addressed the interface with the golf course and ensure that appropriate setbacks or other measures are included. There may be merit in considering any future development of the golf course as part of this Development Plan to ensure both interim and potential long term interfaces are considered, as well as setting in place mechanisms for any required financial contributions towards necessary infrastructure.

### 3.2.3 neighbourhood activity centre

The identification of a Neighbourhood Activity Centre (NAC) is intended to support a network of activity centres in line with Clause 11.01 of the planning scheme. It is considered that the potential location of a train station in the area due to the regional nature of the hospital as well as the needs of hospital and airport workers means a high level of activity within this area is inevitable, particularly in the longer term given the aspirations of the draft *Gippsland Regional Growth Plan* which see Latrobe City growing substantially in reflection of its role as the 'capital city' of Gippsland. When this is considered in line with the existing and future residential populations in the area, the identification of a NAC in this area will allow this to be planned and considered strategically.

Under the *Melbourne 2030* definition, NACs have a limited mix of uses meeting local needs and are dominated by small businesses and shops and limited community services. They offer some local convenience services and some public transport provision. Their key features are:

- generally, a limited mix of uses meeting local convenience needs
- generally less than 10,000 square metres of retail floor space
- accessible to a viable user population by walking/cycling
- accessibility by local bus services, and public transport links to one or more Principal or Major Activity Centres
- their role as important community focal points, ideally close to schools, libraries, child care, health services, police stations and other facilities that benefit from good public transport.

It is noted that this definition relates to a metropolitan context and within the Latrobe context (where there are no Major Activity Centres), one of the key characteristics of a Neighbourhood Activity Centres should be a higher level of connectivity through public transport, which it is considered this centre can achieve. There is also more likelihood and strategic justification in improving connections to this area given the presence of the hospital. The issues with the application of a metropolitan hierarchy to a regional city is reflected in the recommendations as part of the Traralgon Growth Areas Review for an Activity Centre Strategy to be undertaken to ensure that the land use mix, level of transport connections and relevant floorspace targets at various level of the activity centre hierarchy are locally responsive. This is particularly the case given the ability of regional Councils to retain floorspace caps under recent changes to the Victorian Planning Provisions.

A single Neighbourhood Activity Centre (NAC) has been identified as establishing around the Latrobe Regional Hospital (LRH). This is considered a suitable site for a Neighbourhood Activity Centre for a number of reasons, including:

- Large number of people employed at the airport and hospital who would be able to access the centre.
- Availability of services and facilities within the NAC to users of the LRH.

- Recommended establishment of an additional rail station at this location would ensure improved and sustainable access.
- Existing higher density residential development in the form of retirement villages and a caravan park, as well as the accommodation options such as motels, in the area.

This activity centre is not intended to serve a significant retail function, as seen in centres such Mid Valley and the Traralgon and Morwell CBDs, rather it is intended to provide a locally accessible range of services and retail offer to meet the day to day needs of the resident and worker population of the area as well as support the airport and hospital by offering flexibility for related land uses to establish in proximity. Larger scale office uses should be restricted to the Traralgon CBD, or where there is a demonstrated nexus through co-location, such as in association with the hospital or airport.

The establishment of a supermarket in this area could be supported due to the increased residential population identified for the catchment and the siting of the centre where it is easily accessible by employees, patients and visitors to the hospital and to residents of retirement villages or aged care facilities which may be attracted to the Airfield Road area given proximity to the hospital.

### 3.2.4 local activity centre

While two Local Activity Centres (LACs) have been identified in the plan, these locations are indicative. Their identification is intended to highlight the need for locally accessible convenience retailing to be available to residents should the population density in this area increase. This principle is in line with established growth area planning principles which have been established through State Planning Policy. The definition of a local centre varies and is one of the reasons an Activity Centre Strategy has been suggested, however in this case the definition identified as part of the Growth Area Authority's (GAA) *Precinct Structure Planning Guidelines* has been adopted, as follows:

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*"An activity centre smaller than a neighbourhood activity centre which may include a small limited line supermarket or convenience store of between 500sqm and 1500sqm plus non-retail uses."*

As identified, further consideration will need to be given to the most appropriate size for any retail uses rather than convenience store in the Traralgon West context once an understanding of the population and densities in the area are further tested through a development plan process (understanding that the GAA's definitions as developed in a metropolitan context). While Section 3.2.6 identifies an indicative population, it is important to recognise that this is very much a high level assessment based on the theoretical capacity. The Traralgon West area is relatively unusual in that, while significant increases in population are expected, the area that will accommodate these new communities represents intensification of existing residential areas rather than being greenfield land. A more detailed assessment of the development capacity of the area once landowner expectations are better understood will provide a more accurate prediction. This understanding should not unduly influence the hierarchy of centres identified in this plan.

The locations shown on the plan have been identified where it has appeared logical. Establishing a LAC in proximity to the existing school site (Lavalla) allows the centre to be accessed not only by local residents but also by those accessing the school, increasing the catchment of the centre. This also offers the potential of the use of the activity centre to co-locate other educational or early years' facilities. The location of the other centre adjacent to the car yards, means that the centre will be accessible to those working in that precinct and its position on the highway offers potentially greater economic viability of any retail uses.

In addition, for practical reasons these have been identified on sites identified as being developed for medium density 'urban villages'. Establishing a new commercial centre as part of an integrated redevelopment of large parcels of land in single ownership allows for better outcomes to be pursued and more straightforward establishment of the centres. In addition, these areas are likely to see the greatest potential

increases in density and therefore the location of centres within these sites would provide the greatest access to large residential catchments.

### 3.2.5 employment investigation area

Land to the immediate north and west of the Latrobe Regional Hospital (Area 4) is identified as an 'employment investigation area'. This report identifies it should be developed for either employment generating uses preferably associated with the airport or hospital.

The Latrobe Regional Airport is identified as one of three areas of "significant commercial importance" to Latrobe City and as such this document has sought to provide an outcome which supports the areas identified role as a "concentrated employment zone" by providing the following:

- The potential for expansion to the south if required through this identification of an 'investigation area' and the avoidance of rezoning to residential uses which may conflict with future uses
- Identification of the area as a Neighbourhood Activity Centre, supporting a range of commercial and retail activities associated with the two facilities and providing facilities and services for employees in the area.
- The identification of an additional train station to provide sustainable transport access to the area for employees.

A priority of this investigation area is the protection of the long term economic opportunities associated with the two key sites. Latrobe City has enormous potential to grow as a key regional city but this will largely be driven by employment opportunities. Protecting a substantial area of land to allow exploration and establishment of innovative economic generators or land uses which benefit from synergies with the airport or hospital will support the long term growth of the municipality.

Given the proposed establishment of a Neighbourhood Activity Centre (discussed above) and the recommended establishment of an additional

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train station to provide increased access to the LRH facilities across the region, as well as the employment opportunities provided by the hospital, airport and associated businesses, the establishment of additional residential development in the area would also provide a good planning outcome. Given existing constraints, residential development should generally only be provided to the east of Airfield Road. However, a residential component as part of a mixed use development on unconstrained land (where it will not compromise airport or hospital uses) could be supported.

The land has not been identified for retail uses with the exception of land that may form part of the NAC or be directly associated with the airport or hospital as dispersal of retail development is to be avoided without strong justification. This area lacks strategic justification for retail uses other than those outlined above.

### 3.2.6 anticipated traralgon west population

Given the existing development of much of the land within the Traralgon West area, an understanding of the likely population and dwelling numbers is difficult to predict without further assessment. A Development Plan process that establishes the desire for change among landowners and more clearly articulates how the residential areas are likely to develop will provide a greater level of understanding of the likely population that can be accommodated in these areas. This process will also allow further consideration of the appropriate densities for this area noting the figures used below are indicative only.

In the interim, in order to provide a broad understanding of the likely residential population, a series of nominal figures have been developed. It is important to note that these figures are preliminary and should not be used to guide decision making. This is particularly the case when assessing the establishment of activity centres, given the role that non-residential and worker populations will play in supporting identified centres.

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In relation to the calculations, the following informed the relevant figures:

- Areas of potential residential land were identified and areas calculated using GIS mapping on the basis of the Traralgon West Structure Plan.
- A figure of 75% of land was presumed to be developable. This is lower than the 85% figure used within the Traralgon Growth Areas framework in light of the drainage lines which affect the Traralgon West area and the extent of existing development within the area.
- Differing development densities were used for calculating dwelling numbers within the area, with a gross figure of 8.5 lots/ha used for the conventional residential areas and a higher figure of 20 lots/ha used for strategic sites in light of the integrated and masterplanned development anticipated for those sites.
- In areas proposed for intensification a nominal 900sqm lot was deducted from the total in recognition of each existing dwelling within these established areas.
- Once the number of dwellings was identified, the average household size figures for Traralgon were applied to generate an indicative population figure.

Strategic Development Sites

site	total area	developable area	potential dwelling numbers
Hollydale	57ha	42.75ha	855
Golf Course	41ha	30.75	615

Residential areas

areas	total area	existing dwelling numbers	potential dwelling numbers
intensifying	235ha	29 + 55 (7.56ha)	1933
existing	n/a	61	n/a

Given the identification of potential for 3,403 new dwellings in the precinct and 61 existing dwellings in the precinct, and the average household size in Traralgon of 2.46 persons per dwelling (2011 census figures), the preliminary residential population anticipated in the Traralgon West area is estimated at close to 8,500. As identified, these figures are very high level and are subject to further investigation and refinement through the recommended implementation actions outlined in Section 4 of this report.

It is also noted that the population within this area has the potential to increase should any reconsideration of the alignment of the Traralgon bypass and coal resource needs by the State Government occur. Should the identified alignment be revised to a more southerly position, additional land would become available within the Traralgon West area and this plan should be revised on that basis.

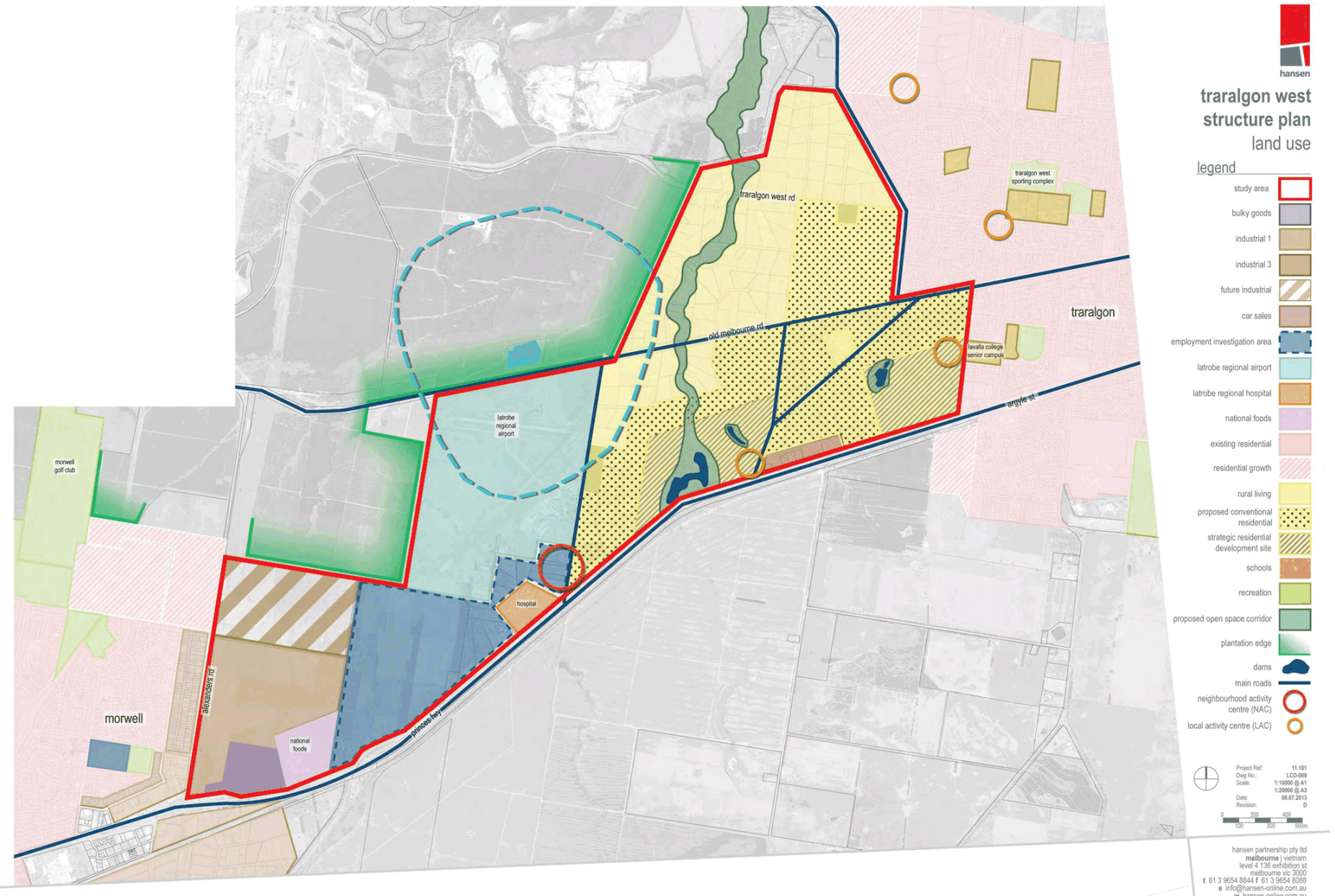


Figure 7: traralgon west: land use

### 3.3 movement and access

The structure plan seeks to provide clear and logical routes through the area, and to increase opportunities to access more sustainable modes of transport both to, and within, Traralgon West. The plan identifies only key roads within the precinct and principles for future networks of local roads. The layout of the network of local roads will need to be determined as part of any future development plan for both the strategic development sites and the area that is to transition in dwelling intensity (i.e. existing low density and rural living land). Any development plan should have regard to the contents of this document. Movement and access within the precinct is proposed as follows:

- The Princes Highway will continue to develop as a key transport corridor. As identified in the *Traralgon Growth Areas Framework*, a high frequency bus service should be established along this corridor, in addition to cycle lanes and existing vehicular movement.
- A new train station should be provided adjacent to the hospital and near the proposed Neighbourhood Activity Centre.
- Old Melbourne Road and the existing Coopers Road road reserve within the precinct (which should be constructed to form a road) will be developed as key green movement corridors, having regard to the need to protect any important areas of native vegetation. Old Melbourne Road and Coopers Road should provide a high amenity pedestrian pathway, which may be used as part of a broader network of jogging/ walking tracks. The alignments of these green movement corridors should be further refined both through the Development Plan process, but also through the upcoming *Pathways, Tracks and Trails Strategy* which should have regard to this Structure Plan
- Another new shared path will be established along the key drainage line which is identified as an open space corridor providing a connection through to a broader area of open space proposed to the north of Traralgon as part of the *Traralgon Growth Areas Framework*.
- Bus services should be extended from the existing urban area into the southern portion of the precinct proposed for increased development and intensity of residential use. Bus stops should be provided within a 400m distance of dwellings as identified on the plan and stops should be provided at key areas of open space and activity centres.
- Apart from the construction of the existing road reserve (Coopers Road) which angles through the precinct, a number of other key road connections have been identified on the following plan, including along the boundaries of the 'Hollydale' and Traralgon Golf Club sites to provide east-west access across the centre of the precinct to Airfield Road.
- Careful consideration will need to be given to the most appropriate configuration of the bridge that will be required to cross the main drainage line (between Areas 5 and 6), to ensure that it is complementary to the proposed open space corridor.
- The remainder of the local road network must provide clear, permeable and legible connections through the precinct to key locations such as public open space, schools and activity centres, in line with relevant subdivision design standards.
- Cul-de-sacs should be avoided where possible and when provided must integrate pedestrian connections to avoid restrictions on movement.
- Roads should follow existing boundary alignments where possible to integrate and preserve existing canopy vegetation.
- Car parking provided in association with any commercial development in activity centres should be provided to the rear of buildings to ensure activated frontages are achieved and car parking does not dominate.

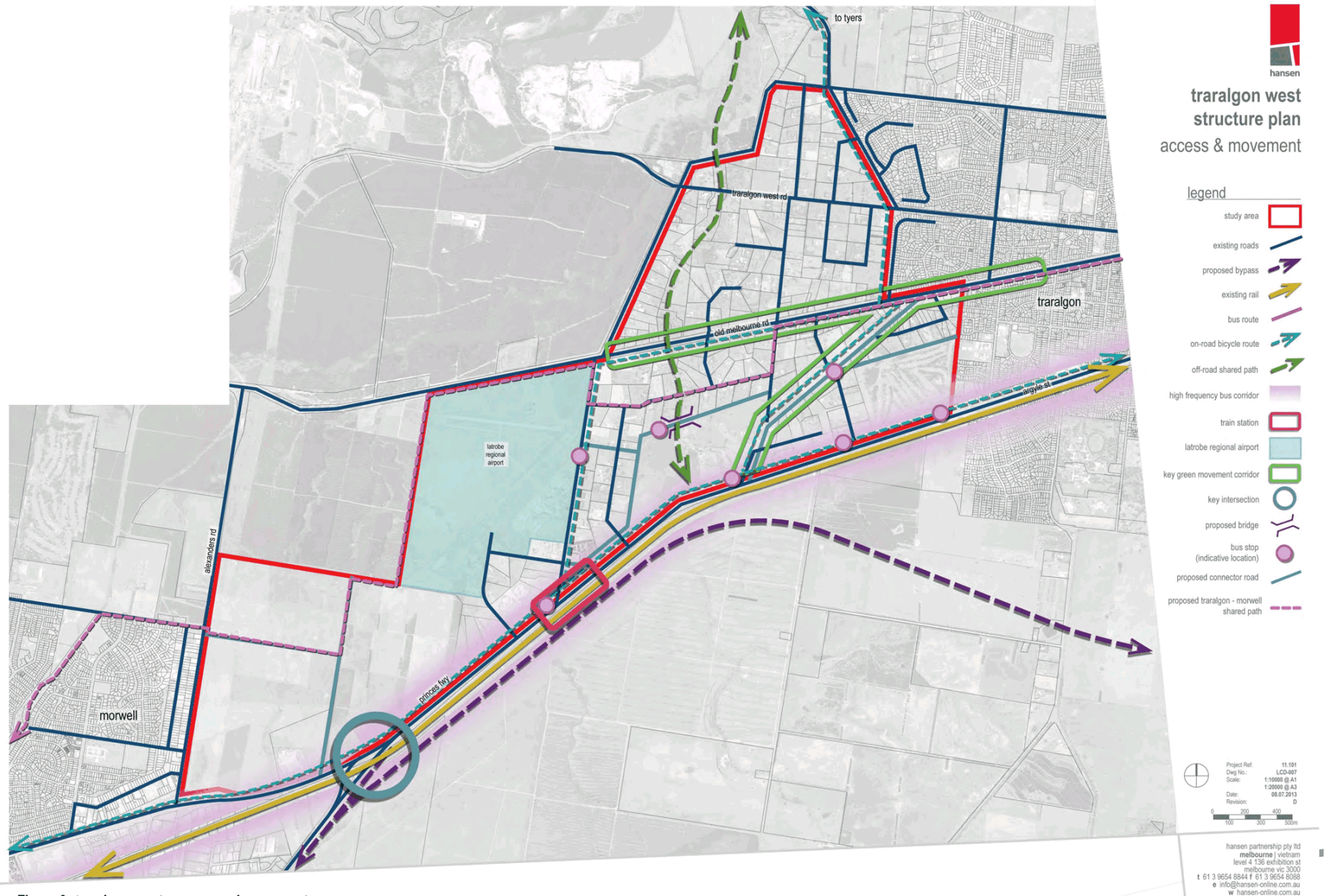


Figure 9: traralgon west: access and movement

### 3.4 community and open space

The structure plan details the distribution of proposed public open space and location of key community facilities within the precinct. The particular requirements for community infrastructure have not been identified at this time and will be subject to more detailed assessment over time, given the dependence on the rate of transition of previously developed land. Key elements of community infrastructure and open space are identified on the following plan, including:

- Ongoing development and expansion of health facilities and services associated with the Latrobe Regional Hospital.
- Development of aged care facilities and services in proximity to the hospital.
- Development of one Neighbourhood and two Local Activity Centres which should include community infrastructure such as kindergartens, child care, and community meeting rooms as required.
- Given there is no current school within the area, a preferred area for development of a new public primary school (if required) has been identified. While an indicative location has been identified proximate to the Neighbourhood Activity Centre, whether a school is required will need to be considered further once a Development Plan has been prepared for the residential areas as this will provide a more accurate indication of the likely local population. The location of any new school will need to be subject to further detailed analysis and the requirements of the relevant department for site location.
- A key green corridor of public open space has been identified along the drainage line which runs north south through the precinct, which will connect to a broader network of open space around Traralgon. A large area of public open space on the 'Hollydale' site will provide an 'end' or 'entry' point for this broader open space network and will be highly visible from the Princes Highway.
- Existing drainage basins and waterbodies have been utilised to provide areas of interest and focal points for areas of local open space. Open space has been identified in locations that ensure the majority of residents within the areas have access to open space not further than 400m distance from their dwelling.
- An area of public open space should also be developed within the Neighbourhood Activity Centre, although this is not specifically identified in the plan. Providing this open space close to the hospital site provides opportunity for users of the hospital to access quality open space and consideration should be given to working with the hospital to achieve this outcome
- Three indicative locations have been identified for the development of additional active open spaces, in line with the recommended GAA *Precinct Structure Planning Guidelines* which seek to have active open space provided within 1km of new residences.
- Residential areas adjoining areas of open space should all be developed with an active or attractive frontage and increase passive surveillance of these areas. In particular 'back fence' interfaces to public parkland should be avoided.
- Key green movement corridors link many of these open spaces and community facilities increasing access for residents via cycle and high amenity pedestrian pathways. The upcoming Pathways, Tracks and Trails Strategy should consider the growth patterns outlined in this framework and provide additional detail about how these linear connections might be achieved.
- The proposed Morwell-Traralgon Shared Path offers another opportunity for the development of a key linear open space that provides opportunities for both informal recreation and active connections and should be pursued.
- Other areas of public open space should be provided in line with any adopted Public Open Space Strategy prepared by Council.

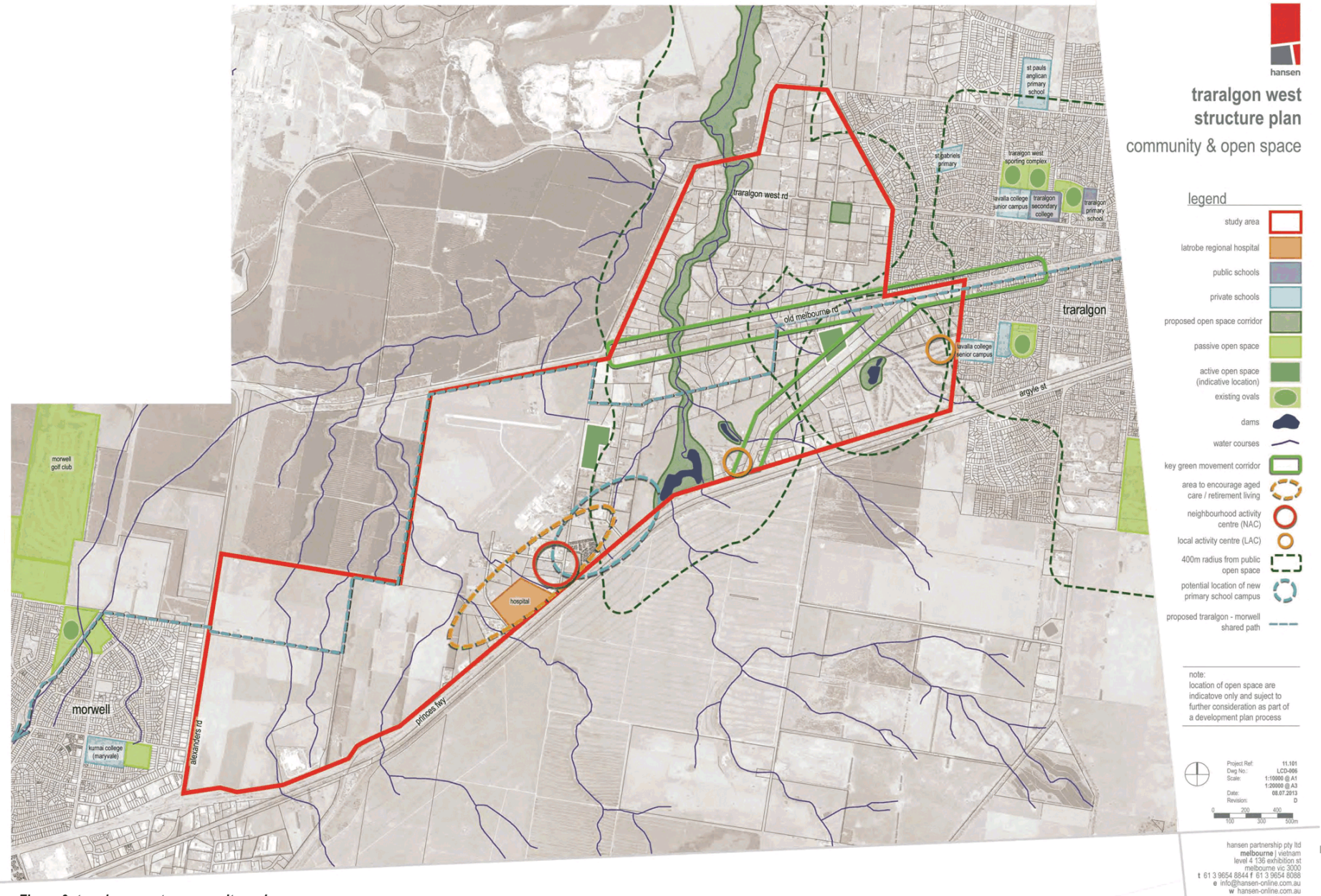


Figure 9: traralgon west: community and open space

## 4 implementation

The implementation of this structure plan is unlikely to be achieved in the short term, and will require careful on-going management due to the large number of landowners within the precinct and the existing nature of development. Nonetheless, it is important that a clear strategic direction be established for the precinct in order to guide development as it occurs and to provide landowners with an understanding of the potential of their holdings.

New commercial and residential zones being introduced to the Latrobe Planning Scheme should not have a significant impact on the area, given existing minimum lot sizes and sewerage connections. However, following the release of the new Rural zones there may be a need for consideration of additional policy in order to protect the 'employment investigation area' from uses which may become 'as-of-right' and potentially compromise the longer term development of this area.

### 4.1 development plans

It is important that Council continues to work pro-actively with both the owners of identified strategic sites and also with groups or individual landowners of existing Low Density Residential or Rural Living zoned land. The preparation of this structure plan is the first step in the process. However a more detailed development plan will need to be prepared for particular areas and will need to be undertaken in close consultation with landowners. A development plan (or plans) will be particularly important for the areas proposed for redevelopment within this area.

Importantly, a Development Plan will also allow the identification of appropriate funding mechanisms to ensure that contributions from developers to the required infrastructure in the area is provided in a timely manner.

A Development Plan Overlay (and potential Development Contribution Plan Overlay) will ensure that development on the two large single landholdings in the area will need to be in accordance with the strategic aims of the precinct before any rezoning occurs. In relation to area 5, given the large number of landowners within the affected land, a development plan will be needed to ensure appropriate staging and provision of infrastructure is incorporated through and as part of any rezoning and subsequent development. The development plan process will allow a more site specific assessment of the relevant biodiversity, cultural heritage, servicing and other matters prior to the approval of any more intensive development of the land.

In particular it will be important to identify which landowners are interested in maximising the development potential of their land in the short to medium term to ensure orderly development is possible. In addition to the consultation held as part of TGAR, further contact should be made with landowners to ascertain level of interest in development and use this feedback to inform areas of change and staging of development as required. Any interest in commercial development of those landowners close to the intersection of Airfield Road and the Princes Freeway could also be ascertained through this process, noting that further investigations would be required prior to any of this land being identified for commercial use.

Council will also need to work closely with the owners of the 'Hollydale' site to ensure that a Development Plan is prepared for that area which accords with broader strategic objectives for Latrobe City.

Discussions should also be held with owners of the Traralgon Golf Course in relation to the possible relocation or redevelopment of the course to allow the site to be utilised for residential purposes. Relocation of this facility should be driven by the club, rather than Council.

### 4.2 further work

A number of other matters and / or further work will need to be considered or undertaken in order to implement the plan as outlined in the previous sections, as follows:

- The agreed urban amenity buffer for the Australian Paper Mill will need to be translated into appropriate planning controls, noting the need for further modelling to be undertaken in two investigation areas (Morwell North and Tyers South) identified in the *Traralgon Growth Areas Framework* (outside the Traralgon West study area).
- Discussions with the Latrobe Regional Airport Board, Latrobe Regional Hospital and relevant landowners in relation to land identified as an 'employment investigation area', to clarify the best future use for the land, as well as finalisation of masterplans for both those key facilities.
- A detailed landscape masterplan for the open space corridor should be prepared. This may be prepared as part of a larger project for the broader area of open space identified in the *Traralgon Growth Areas Framework*, or it may be prepared independently and feed into that project.
- Masterplans should be prepared to identify the preferred configuration of the Key Green Movement Corridors. This should be integrated with work undertaken in relation to the Traralgon-Morwell shared path.
- A detailed drainage assessment should be prepared for the area in order to inform any development plan, including the likely extent of flooding associated with the existing drainage lines, given the extent of current flood mapping does not cover this area.

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- As part of an Activity Centre Strategy for Traralgon (or the Latrobe Regional City), the preferred location, extent, indicative floorspace and potential community infrastructure to be located within different activity centres within the precinct should be confirmed. This recommendation has been included to allow Council to establish a robust strategic basis for decision making in relation to the location of activity centres and the anticipated size and needs of activity centre residential catchments. An Activity Centre Strategy will enable a defined hierarchy and role for each area of commercial activity to be established. While this work may be undertaken for Traralgon, given the Regional City context (and in particular the proximity of Traralgon and Morwell) it is considered it may be more useful to undertake a study on that basis (i.e. for the Regional City). An Activity Centre Strategy would also offer the opportunity to assess the establishment of areas of commercial activity in a holistic manner based on an understanding of where growth is likely to occur and thus to ensure orderly planning of these centres. While a 'retail strategy' assesses floorspace requirements, an Activity Centre Strategy should also consider the incorporation of community and social uses which better reflects the accepted definition of an 'activity centre'. In the context of the *Traralgon West Structure Plan*, an Activity Centre Strategy could also consider in greater depth the most appropriate location for the identified Local Activity Centres, based on further analysis of existing activity and anticipated residential densities. In addition, it could also provide greater detail, assessed in an holistic manner, of the optimal size of the proposed Neighbourhood Activity Centre. Recommendations in relation to any additional community facilities that may provide benefit for the community by being located in this centre should also be explored.
- As a broad guide, the Activity Centre Strategy should include the following:
  - Updates to existing floorspace demand across a range of sectors;
  - Identification of existing areas of commercial activity (within all zones);

- Establishment of a range of broad principles to underpin activity centre policy;
- Identification of an activity centre hierarchy and definitions (from Principal to Local centres) suitable for a regional context; and
- Identification of a new network of centres in line with the established hierarchy, this could include (indicative) floorspace targets and key actions for each centre.

#### 4.3 planning controls

In order to implement the structure plan for Traralgon West, there will need to be a number of steps undertaken. As discussed previously the development of this area will be determined largely by the speed of redevelopment by individual landowners, given the existing fragmented land ownership within the precinct. In order to best facilitate this transition over time, the following actions in relation to the Latrobe Planning Scheme are recommended.

- Update Clause 21 of the Latrobe Planning Scheme to reflect the objectives of the Traralgon West Structure Plan. In particular, sections relating to Clauses 21.04-2 and 21.04-7, which deal with settlement, and Clause 21.05-6, which address Traralgon's growth and development, will need to be updated. A plan should also be included within that Clause to ensure development direction is clear. In addition, this document should be included as a reference document under Clause 21.04-8.
- Rezone land within the precinct as identified on the following plan (Figure 10).
- Rezone land identified as 'employment investigation area' around the Latrobe Regional Hospital from Rural Living to a more suitable zone, once the best use for this land has been identified. The current minimum subdivision size of 8ha is considered to be a sufficient size to function as a 'holding' zone as most lots within the area are already significantly smaller than that. Uses which may compromise

or 'lock-in' a future use of this land should be discouraged where possible until a clear set of objectives have been developed.

- Apply a Development Plan Overlay to the 'Hollydale' site and the Traralgon Golf Course site to ensure development of these key strategic sites is maximised and issues such as vehicular connections and public open space are considered in a broader, precinct wide context. Consider coordinating Development Plans for the golf course with the adjoining Low Density Residential area pending feedback from stakeholders.
- Apply a Development Plan Overlay to the areas currently zoned LDRZ and RLZ, which are proposed for rezoning to the General Residential Zone, in order to ensure that re-subdivision occurs in an orderly manner and that appropriate linkages, drainage management and open spaces are provided.
- Apply a Development Contribution Plan Overlay or other appropriate mechanism to the area to be rezoned to General Residential Zone, to ensure that key infrastructure is appropriately costed and costs are distributed equitable among landowners.

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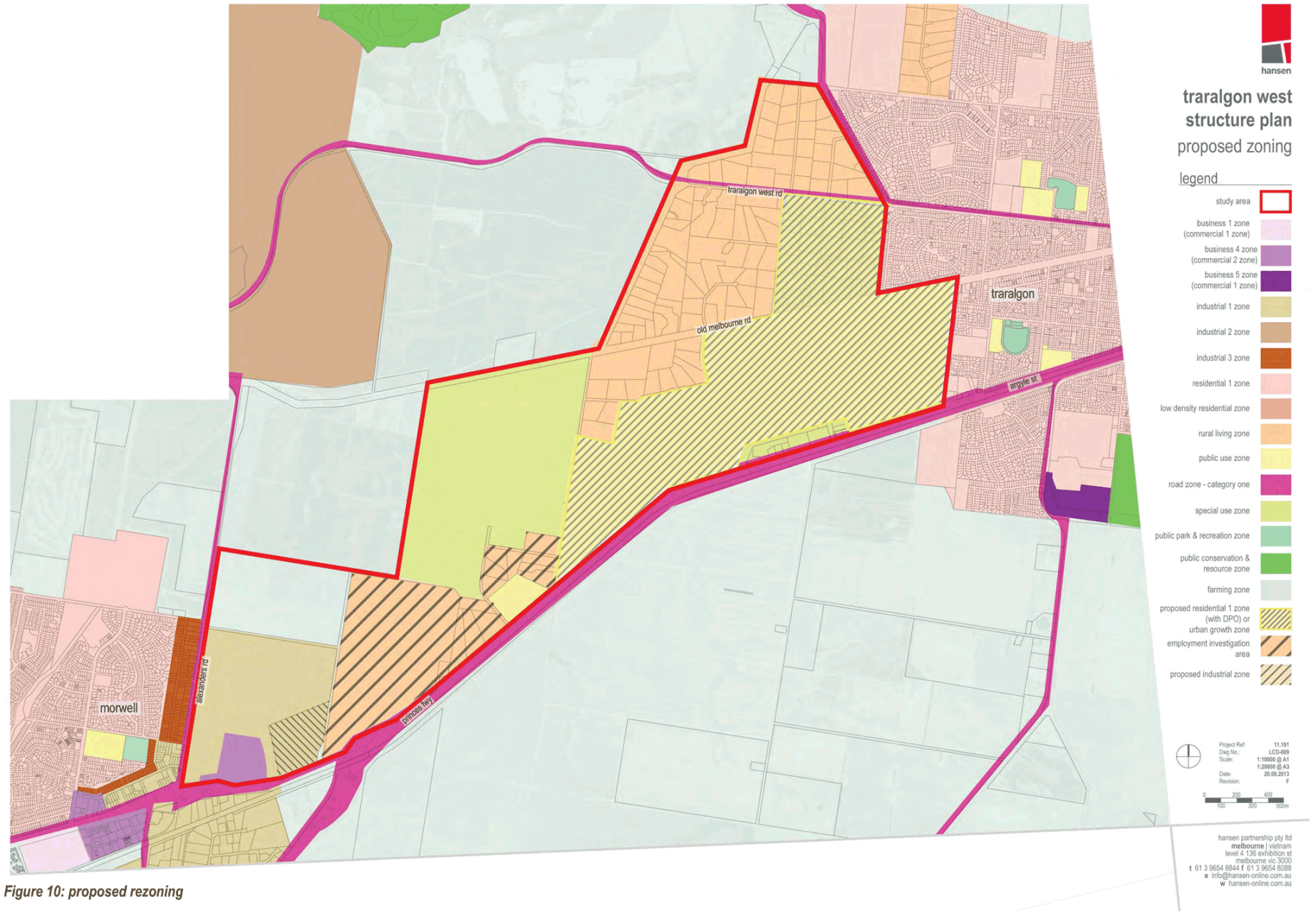


Figure 10: proposed rezoning



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**APPENDIX C**

**STAKEHOLDER CONSULTATION SCHEDULE**



Organisation	Representative(s)	Date/Time Undertaken	Response
GippsAero	Lloyd Don	8/5/14 13:00	Present in person
Latrobe Valley Aero Club	John Warren President	8/5/14 08:00	Present in person
East Coast Aviation	Dave Dawson Proprietor	8/5/14 09:00	Present in person
Ambulance Victoria	Anthony DeWit Manager Air Operations	24/6/14 10:00	Present in person
Helimed 1	Steven Grove Team Manager HEMS2	16/6/14	Present in person
DEPI	John Wood Fire Base Manager	8/5/14 10:00	Present in person
Latrobe Valley Gliding Club			Present in person
Latrobe Flying Museum			Present in person
State Emergency Service			Present in person
CFA – Traralgon West Fire Brigade		19/6/14 08:30	Present in person
Osprey Aviation Services			Present in person
Latrobe Valley Airframes & Welding			Present in person
Aerial Extras	Gerard Lappin Proprietor	8/5/14 14:00	Present in person
Latrobe City Business Tourism Association	Linda Brock	30/9/14 Email	No response received
Morwell Chamber of Commerce and Industry Inc	E: info@morwell.latrobe.net.au	30/9/14 Email	No response received
Traralgon Chamber of Commerce and Industry Inc	E: traralgonchamber@gmail.com	30/9/14 Email	No response received
HVP Pty Ltd	Simon Gatt	29/9/14 Email	No response received
Hazelwood	Garry Smith	29/9/14 Email	No response received
Loy Yang Power	Roland Davies	29/9/14 Email	No response received
Lion	Darren Day	29/9/14 Email	No response received
Sam Suleman	Adjoining Landowner	30/9/14 Email	31/10/14 Letter



Organisation	Representative(s)	Date/Time Undertaken	Response
Gippsland Water	David Mawer CEO Paul Young, Asset Planner	30/9/14 Email	5/11/14 Letter
Energy Australia	Geoff Gay	29/9/14 Email	No response received
Australian Paper Maryvale Ltd	Rohan Wilks	29/9/14 Email	14/11/14 Email 17/11/14 Telephone 31/12/14 Letter
QantasLink	Todd Chapman	29/9/14 Email	3/10/14 Email
Virgin Australia Regional Airlines	Ms Merren McArthur	30/9/14 Email	No response received
Regional Express Airlines	Warrick Lodge	29/9/14 Email	No response received
Sharp Airlines	General Inquiries	29/9/14 Email	No response received
Department of State Development Business and Innovation	Andrew Heasley	26/3/14	Present in person
	The Hon. Gordon Rick-Phillips MLC	2/7/14	Present in person
Latrobe Regional Hospital	TBA	TBC	No response received



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**APPENDIX D**

**DEVELOPMENT GUIDELINES**



DATE 25 August, 2015

Draft

**Latrobe Regional Airport | Master Plan 2015**  
**Development Guidelines**  
**For Latrobe City Council**



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**Document Control Page**

Revision	Date	Description	Author	Signature	Verifier	Signature	Approver	Signature
0	16/3/15	DRAFT	GW		BJH		BJH	
1	25/8/15	FINAL DRAFT	GW		BJH		BJH	





## 1.0 INTRODUCTION

### 1.1 PURPOSE

The long-term viability of Latrobe Regional Airport depends upon the adoption of sound planning practice and therefore strategies must be put in place to protect the site from incompatible developments. This must be balanced against the need for environmentally responsible and appropriate development.

General guidelines are provided in this document for future development within the following development zones and their relevant constituent precincts envisaged within the Latrobe Regional Airport Master Plan 2015 and defined in **Table 1**. Reference should also be made to **Figure E** at Appendix A of the Latrobe Regional Airport Master Plan 2015.

**Table 1: Future Development Zones and Precincts**

Zone	Precincts
Terminal Zone	Private Hangar Precinct
	Aviation Business Expansion Precinct
Central Business & Employment Zone	Manufacturing Support Precinct
Southern Business & Employment Zone	Aviation Business Precinct
	Education & Training Precinct
	Heavy Aircraft Precinct
Northern Business & Employment Zone	Aviation Enterprise Precinct

Guidelines for specific building types are also provided under **Section 3.0**.

Variation in the design response is encouraged where development is compatible with existing and proposed development.

A checklist tool is provided to assist the assessment of proposed development at the site.



## 1.2 OBJECTIVES

The primary objectives of these development guidelines are to provide guidance for lease holders at the Latrobe Regional Airport in terms of private and commercial aviation and non-aviation development by providing criteria which:

- (a) Ensure that land use is consistent with the Latrobe Regional Airport Master Plan 2015.
- (b) Establish a strong precinct identity.
- (c) Ensure that private and commercial developments proposed to be constructed are assessed against minimum design standards as set out in this policy.
- (d) Maintain a high level of building and landscaping presentation throughout the Airport to achieve the desired street-scape.
- (e) Minimise impacts on the natural environment, and promote the adoption of sustainable design principles into development at Latrobe Regional Airport.
- (f) Ensure development does not adversely impact upon the airports core aviation activities.
- (g) Encourage development that achieves the most effective and best use of sites
- (h) Provide guidance to Council and Council's representatives when considering applications made under this policy.
- (i) Assist in the management of the Latrobe Regional Airport and ensure growth in value of Airport assets.

## 1.3 DEFINITIONS

The following are definitions that may be used as part of this policy in addition to the definitions included in Latrobe Planning Scheme:

“**Council**” means Latrobe City Council.

“**Master Plan**” means the Latrobe Regional Airport Master Plan 2015 which incorporates Figures A to G within Appendix A.

“**OLS**” means Obstacle Limitation Surface(s) as defined in CASA Manual of Standards Part 139 and indicated on Figure G at Appendix A of the Latrobe Regional Airport Master Plan 2015.

“**Aerodrome**” means Latrobe Regional Airport.

“**NCC**” means National Construction Code.

## 1.4 DISCLAIMER

All appropriate legislative and regulatory standards take precedence over this development guideline where any aspects are contradictory.



## 2.0 GENERAL GUIDELINES

### 2.1 LATROBE REGIONAL AIRPORT MASTER PLAN

The Latrobe Regional Airport Master Plan 2015 incorporates a Development Zone Master Plan which identifies development precincts which are characterised by certain types of permitted development.

The Development Zone Master Plan is depicted in **Figure G** (at Appendix A of the Master Plan) and, in conjunction with these development guidelines, sets out the objectives and desired outcomes for each precinct.

The land uses within each precinct should comply with the Master Plan and the permitted uses specified in the lease for the site. All uses must have a lease approved by Council prior to commencement of any works or occupation of a premises.

### 2.2 LAND USE

Development and land use within the Latrobe Regional Airport must be consistent with the intent of the Master Plan, specifically the Development Zone Master Plan. **Table 2** indicates the type of developments that are acceptable according to the development zones and precincts allocated by the Master Plan.

The uses indicated in Table are not exhaustive and should be considered as a guide to the development intent only. Other uses may be considered but they must be consistent with the Master Plan and they must add value in the context of the established vision and objectives for the Latrobe Regional Airport.

Final decisions on permitted land uses will be made by the Latrobe Regional Airport Board.

**Table 2: Anticipated Uses by Development Area**

Development Zone	Precinct	Anticipated Uses
Terminal Zone	Central Activity Precinct	Existing uses including aircraft parking, passenger terminal, aero club, aviation fuel facilities, hangars
	Private Hangar Precinct	_Maintenance and parking hangars for general aviation fixed wing aircraft sizes up to and including code B
	Aviation Business Expansion Precinct	Aviation and commercial activities requiring direct access to Code C Taxiway including: _Maintenance and parking hangars for fixed wing aircraft sizes up to and including code C _Administration functions



Development Zone	Precinct	Anticipated Uses
	Aviation Heritage Precinct	Existing uses including hangars for historical aircraft Park/recreational area
	Landside Precinct	Common car parking
	Manufacturing Support Precinct	Larger scale commercial development requiring code B taxi lane access to the apron including: _Logistics _Maintenance _Assembly _Administration functions
	Heavy Aircraft Precinct	Larger scale light industrial development requiring code B taxi lane access to the apron including: _Light and heavy maintenance of aircraft _Administration functions
	Education & Training Precinct	Smaller scale commercial and light industrial development including: _Administration functions _Maintenance _Avionics _Engineering
	Aviation Business Precinct	Smaller scale light industrial development requiring code B taxi lane access to the apron including: _Maintenance and parking hangars for Rotary and fixed wing aircraft _Flying school _Light industrial development _Administration functions
	Aviation Enterprise Precinct	Smaller scale commercial and light industrial development including: _Business start-ups _Non aviation related activity _Administration functions _Maintenance _Logistics _Manufacturing / assembly

### 2.3 SUBDIVISION

Subdivision is not encouraged.



## 2.4 HEIGHT

All development in this zone is to comply with the future Obstacle Limitation Surfaces requirements shown in the Master Plan. Refer to **Section 3.0** for additional height controls within specific development precincts.

## 2.5 OTHER AIRPORT SAFEGUARDING CONTROLS

All developments should be assessed against the latest National Airport Safeguarding Framework (NASF) Guidelines and other relevant standards and guidance applicable to an airport environment, including (but not limited to) assessment of issues such as:

- Building generated windshear and turbulence;
- Plume rise;
- Reflectivity and glare;
- Wildlife hazards;
- Construction stage impacts; and
- Public safety and dangerous goods.

## 2.6 BUILDING DESIGN AND PLACEMENT

The following principles should be used in the design of new development:

- Positive contribution to the street-scape.
- Buildings should be sited to take advantage of views, provide a positive presentation to road and to provide a strong corporate image and an inviting entrance.
- The main entrance to the building is to be clearly visible and located along the developments road frontage.
- Generally, architectural form and character should avoid large unrelieved expanses of facade or roof.
- Where a site will have more than one building, the design and layout of the buildings should result in the creation of a group of integrated buildings clearly expressing their interrelationship.
- Massing and building form should be of a contemporary nature, based on simple bold and strong forms using the selection of various materials, texture and colour to highlight the design, develop the corporate image within the overall design vision of the precinct.



## 2.7 FACADES

Facades of buildings are to be well articulated and modulated to reduce the appearance of the bulk of the building from adjoining roads. Varying heights and setbacks are encouraged where this is practical acknowledging the fundamental functional requirements of some types of aviation facilities.

The use of texture and colour should reflect adjoining and existing developments. In general neutral shades of greys, creams and earth colours are encouraged for the major facades with architectural features expressed in panels of strong, bold corporate colours with integrated building signage.

Although the use of 'Colourbond' or similar materials is permitted for all buildings, developments are encouraged that use brick / concrete walls particularly for the frontage of a building (particularly those used for administration and education purposes).

The use of un-painted 'Zincalume' wall cladding is not permitted on any building.

Colours and finishes should be non-reflective and appropriate for an aerodrome environment.

## 2.8 BUILDING SIGNAGE

The following guidelines are provided for the provision of signage on buildings:

- Building signage may contain the business name and/or corporate logo.
- There is to be only one tenant sign per building.
- No building sign shall be larger than 5% of the total area of the wall onto which it is placed.
- Signs must be specified, installed and maintained to a high standard, with three-dimensional approach preferred and laser cut raised lettering encouraged.
- Building signage facing primary roads shall be illuminated to enhance the presentation of the precinct and it must be compliant with CASA MOS Part 139.
- Sub-tenants are not permitted to place a sign on the building but may place their business name on or adjacent to the main entrance door to their premises.
- No advertising or promotional signs are permitted within leased sites.
- Signs are to be static with no dynamic elements.

## 2.9 ROOF FORM AND MATERIALS

Roof form should be pitched and flat roofs discouraged. All roofing materials are to be non-reflective and not interfere with the operation of the aerodrome.

Roof mounted plant is discouraged, and if unavoidable will require special screening or design treatments to avoid visually detracting from the precinct.



## 2.10 ENTRANCES

All development should have their primary entrance oriented to the road, and include architectural elements, such as canopies or porte cocheres which identify the entry.

Whenever possible, building entrances for pedestrians should be well separated from vehicular entrances.

Where a development has a boundary along an airside movement reserve, apron or taxi lane shall retain access to the airside.

## 2.11 LANDSCAPING AND OPEN SPACE

The following guidelines are provided for the provision of landscaping and open space:

- All plant and equipment shall be hidden from view from public areas including public roads.
- Any screening should be designed as an integral part of the building form and character.
- Respect and build upon the historical and current landscape character and be visually complementary to the surrounding landscape and uses.
- Ensure quality landscaping throughout the Airport area and maintain a high standard of landscaping.
- Adhere to obstacle height limitations with the location and height of landscape features.
- Provide broad boulevards at appropriate locations in key Airport precincts.
- Encourage low growing or large, open canopy trees to maintain the "open feel" of the Airport.
- Tree and shrub species will be selected to avoid attracting birds.
- Provide definite and exciting entry statements at appropriate locations in the Airport.
- Site and design to minimise disruption to the natural landscape systems.
- At least 5% of each main development precinct area is to be developed and landscaped for use as open space.
- Existing vegetation should be retained where possible.
- Landscape planting zones are encouraged in the frontage setback.
- Provide planting to western and northern facades to reduce building heat loading.
- Landscaped areas are to be reticulated and maintained at all times to the satisfaction of Council.
- The use of native vegetation and water efficient plants is encouraged.
- Buildings shall be arranged to provide landscaped outdoor places for people to use during breaks.



## 2.12 ENVIRONMENTALLY SUSTAINABLE DESIGN

Good building design based on best practice ESD principles can significantly reduce everyday running costs of buildings without significant additional building costs.

Building envelopes and internal layouts should be designed to minimise energy consumed for heating, cooling and light where:

- Window design and shading facilitates good thermal performance and optimises access to day light.
- Building materials and insulation minimise energy loss through heat gain / loss through the building fabric.
- Building materials and energy sources are specified from sources which minimise the impact to the environment.

Building services shall be designed to minimise energy and resource use through:

- Maximising the use of natural light and ventilation.
- Selection of energy efficient building engineering systems.
- Minimising water use via water efficient fixtures and fittings and maximising water reuse and recycling where possible.

## 2.13 FENCING

Airside perimeter security fencing to minimum specifications acceptable to the Latrobe Regional Airport Board shall be provided where required by the Board.

In all other areas, boundary fencing to a maximum height of 1.8m is permitted, except on the frontage. Fencing is to be proprietary 'Colourbond' fencing system or galvanised chain wire fencing. Fencing along street frontages is prohibited.

## 2.14 CAR PARKING

Access and parking is to be provided in accordance with the regulatory requirements given development type. Car parking areas can be located within the front setback area or other suitable location that allows for visitors to locate the bays easily, provided adequate landscaping is included in the layout. Car parking areas and crossovers should be constructed in accordance with the relevant Australian standards.

## 2.15 LOADING

Loading and service areas for industrial and commercial buildings should generally be located away from the road frontage of developments and visually screened from public roadways.





## 2.16 TRAFFICABLE AREAS

Regular trafficked areas, such as driveways, are to be paved or sealed. Areas that are used for hardstands, truck turnarounds, etc can be of gravel construction, except where direct vehicular access to the airside is provided. However, these areas are to be constructed to ensure that dust does not cause a nuisance to the occupants of the property or adjoining properties.

## 2.17 LIGHTING AND ELECTRICITY

Lighting must be designed to avoid impacts on airport operations and be in accordance with the applicable aviation regulations.

## 2.18 DESIGN FOR FIRE

The airport site is within the vicinity of land used for forestry purposes. The design of developments should consider the use of fire resistant materials and fire escapes. The design of the layout for this part of the site should consider muster areas and appropriate access.

## 2.19 DESIGN FOR NOISE

The Australian Standard provides guidance on building siting and construction to minimise aircraft noise intrusion in Section 3 of Australian Standard AS 2021-2000, *Acoustics - Aircraft Noise Intrusion*. Reference shall be made to the applicable Latrobe Regional Airport Australian Noise Exposure Forecast as may be from time to time in force.

## 2.20 USE OF TRANSPORTABLE BUILDINGS

The use of transportable buildings such as offices and ablutions is permitted only with the consent of the Latrobe Regional Airport Board. Where used as a detached building, transportable buildings are to be painted and/or clad to complement other buildings on the site. Where a transportable building is to be attached to an industrial building, it is to be painted and/or clad to match the main building.

## 2.21 PERMITTED USE

The use of any development or part of a development for human or animal habitation is prohibited without the specific written approval of the Latrobe Regional Airport Board. Such approval, if granted, may be conditional and any such conditions should be complied with in full at all times.

## 2.22 FUEL STORAGE

Aviation fuel and combustible chemicals are to be stored in accordance with established guidelines/. No more than 500 litres of aviation fuel is to be stored on a lease area without the approval of the Latrobe Regional Airport Board.



### 3.0 PRECINCT SPECIFIC DEVELOPMENT CONTROLS

#### 3.1 PRIVATE HANGAR PRECINCT

##### 3.1.1 SETBACKS

Private hangars shall comply with the following minimum building setbacks:

To road:	Nil Setback
To taxiway/taxilane edge	Nil Setback
Sides:	1.0m Setback

##### 3.1.2 BUILDING MATERIALS TO BE USED

###### Roof Cladding

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

###### Wall Cladding

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Face masonry (unpainted)

##### 3.1.3 BUILDING HEIGHT

All development is to be single storey and have a maximum wall height of 4.5 metres.

##### 3.1.4 CAR PARKING

All vehicles are to be parked entirely within the leased area.

##### 3.1.5 ABLUTIONS

Developers of private hangars are not obligated to provide private ablation facilities within the hangar. There are public ablation facilities at the nearby terminal that can be accessed.

##### 3.1.6 STORAGE OF EQUIPMENT

Storage of all equipment used in the operation of the private hangar is to be contained within the hangar(s) at all times.

##### 3.1.7 MAINTENANCE OF BUILDINGS AND SURROUNDS

The owners of private hangar sites shall maintain the hangar in a neat and tidy manner and ensure the surrounding lease site is kept free of disused materials and rubbish.

##### 3.1.8 RAINWATER TANK

A minimum of 1,000 litre rain water tank is to be installed within the leased area.



**3.2 AVIATION BUSINESS EXPANSION PRECINCT**

**3.2.1 3.2.1 SETBACKS**

Development shall comply with the following minimum building setbacks:

- To road: 6m Setback
- To taxiway/taxilane edge 30m Setback
- Sides: 3.0m Setback

**3.2.2 BUILDING MATERIALS TO BE USED**

**Roof Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Translucent open cell roof cladding system on a proprietary framing system, for example Danpalon or similar

**Wall Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Face masonry (unpainted)

Composite refinished cassette type cladding system, for example Alucobond or similar

Translucent open cell wall cladding system on a proprietary framing system, for example Danpalon or similar

Pre-cast concrete cladding panels

**3.2.3 BUILDING HEIGHT**

All development is to be a maximum of two storey and have a maximum wall height of 8.0 metres.

**3.2.4 CAR PARKING**

Car parking bays are to be provided within the leased area at a minimum rate as stipulated by the NCC. All visitor parking is to be contained within the leased area.

**3.2.5 ABLUTIONS**

Ablutions facilities are to be provided as specified within the NCC.

**3.2.6 STORAGE OF EQUIPMENT**

Storage of all equipment and material associated with the development is to be contained within the building(s) at all times.

**3.2.7 MAINTENANCE OF BUILDINGS AND SURROUNDS**

The owners of development sites shall maintain the leased area in a neat and tidy manner and ensure the site is kept free of disused materials and rubbish.



**3.2.8 RAINWATER TANK**

A minimum of 2,000 litre rain water tank is to be installed within the leased area.

**3.3 MANUFACTURING SUPPORT PRECINCT**

**3.3.1 SETBACKS**

Development shall comply with the following minimum building setbacks:

- To road: 6m Setback
- To taxiway/taxilane edge Nil Setback
- Sides: 3.0m Setback

**3.3.2 BUILDING MATERIALS TO BE USED**

**Roof Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Translucent open cell roof cladding system on a proprietary framing system, for example Danpalon or similar



**Wall Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Face masonry (unpainted)

Composite refinished cassette type cladding system, for example Alucobond or similar

Translucent open cell wall cladding system on a proprietary framing system, for example Danpalon or similar

Pre-cast concrete cladding panels

**3.3.3 BUILDING HEIGHT**

All development is to be a maximum of two storeys and have a maximum wall height of 9.0 metres.

**3.3.4 CAR PARKING**

Car Parking bays are to be provided within the leased area at a minimum rate as stipulated by the NCC. All visitor parking is to be contained within the leased area.

**3.3.5 ABLUTIONS**

Ablutions facilities are to be provided as specified within the NCC.

**3.3.6 STORAGE OF EQUIPMENT**

Storage of all equipment and material associated with the development is to be contained within the building(s) at all times.



**3.3.7 MAINTENANCE OF BUILDINGS AND SURROUNDS**

The owners of development sites shall maintain the leased area in a neat and tidy manner and ensure the site is kept free of disused materials and rubbish.

**3.3.8 RAINWATER TANK**

A minimum of 2,000 litre rain water tank is to be installed within the leased area.

**3.4 HEAVY AIRCRAFT PRECINCT**

**3.4.1 3.4.1 SETBACKS**

Development shall comply with the following minimum building setbacks:

To road:	6m Setback
To taxiway/taxilane edge	30m Setback
Sides:	3.0m Setback

**3.4.2 BUILDING MATERIALS TO BE USED**

**Roof Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Translucent open cell roof cladding system on a proprietary framing system, for example Danpalon or similar

**Wall Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Face masonry (unpainted)

Composite refinished cassette type cladding system, for example Alucobond or similar

Translucent open cell wall cladding system on a proprietary framing system, for example Danpalon or similar

Pre-cast concrete cladding panels

**3.4.3 BUILDING HEIGHT**

All development is to be a maximum of two storey and have a maximum wall height of 9.0 metres.

**3.4.4 CAR PARKING**

Car Parking bays are to be provided within the leased area at a minimum rate as stipulated by the NCC. All visitor parking is to be contained within the leased area.



**3.4.5 ABLUTIONS**

Ablutions facilities are to be provided as specified within the NCC.

**3.4.6 STORAGE OF EQUIPMENT**

Storage of all equipment and material associated with the development is to be contained within the building(s) at all times.

**3.4.7 MAINTENANCE OF BUILDINGS AND SURROUNDS**

The owners of development sites shall maintain the leased area in a neat and tidy manner and ensure the site is kept free of disused materials and rubbish.

**3.4.8 RAINWATER TANK**

A minimum of 2,000 litre rain water tank is to be installed within the leased area.

**3.5 EDUCATION AND TRAINING PRECINCT**

**3.5.1 SETBACKS**

Development shall comply with the following minimum building setbacks:

- To road: 6m Setback
- To taxiway/taxilane edge 3.0m Setback
- Sides: 3.0m Setback

**3.5.2 BUILDING MATERIALS TO BE USED**

**Roof Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

**Wall Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Face masonry (unpainted)

Composite refinished cassette type cladding system, for example Alucobond or similar

**3.5.3 BUILDING HEIGHT**

All development is to be a maximum of two storeys and have a maximum wall height of 8.0 metres.

**3.5.4 CAR PARKING**

Car Parking bays are to be provided within the leased area at a minimum rate as stipulated by the NCC. All visitor parking is to be contained within the leased area.



**3.5.5 ABLUTIONS**

Ablutions facilities are to be provided as specified within the NCC.

**3.5.6 STORAGE OF EQUIPMENT**

Storage of all equipment and material associated with the development is to be contained within the building(s) at all times.

**3.5.7 MAINTENANCE OF BUILDINGS AND SURROUNDS**

The owners of development sites shall maintain the leased area in a neat and tidy manner and ensure the site is kept free of disused materials and rubbish.

**3.5.8 RAINWATER TANK**

A minimum of 2,000 litre rain water tank is to be installed within the leased area.

**3.6 AVIATION BUSINESS PRECINCT**

**3.6.1 SETBACKS**

Development shall comply with the following minimum building setbacks:

- To road: 4m Setback
- To taxiway/taxilane edge 14m Setback
- Sides: 2.0m Setback

**3.6.2 BUILDING MATERIALS TO BE USED**

**Roof Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Translucent open cell roof cladding system on a proprietary framing system, for example Danpalon or similar

**Wall Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Face masonry (unpainted)

Composite refinished cassette type cladding system, for example Alucobond or similar

Translucent open cell wall cladding system on a proprietary framing system, for example Danpalon or similar

**3.6.3 BUILDING HEIGHT**

All development is to be single storey and have a maximum wall height of 6.0 metres.



**3.6.4 CAR PARKING**

Car Parking bays are to be provided within the leased area at a minimum rate as stipulated by the NCC. All visitor parking is to be contained within the leased area.

**3.6.5 ABLUTIONS**

Ablutions facilities are to be provided as specified within the NCC.

**3.6.6 STORAGE OF EQUIPMENT**

Storage of all equipment and material associated with the development is to be contained within the building(s) at all times.

**3.6.7 MAINTENANCE OF BUILDINGS AND SURROUNDS**

The owners of development sites shall maintain the leased area in a neat and tidy manner and ensure the site is kept free of disused materials and rubbish.

**3.6.8 RAINWATER TANK**

A minimum of 2,000 litre rain water tank is to be installed within the leased area.

**3.7 AVIATION ENTERPRISE PRECINCT**

**3.7.1 Setbacks**

Development shall comply with the following minimum building setbacks:

To road:	4m Setback
To taxiway/taxilane edge	14m Setback
Sides:	2.0m Setback

**3.7.1 BUILDING MATERIALS TO BE USED**

**Roof Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Translucent open cell roof cladding system on a proprietary framing system, for example Danpalon or similar

**Wall Cladding**

Proprietary pre-painted steel sheet wall and roof cladding system, for example colour bond or similar

Face masonry (unpainted)

Composite refinished cassette type cladding system, for example Alucobond or similar

Pre-cast concrete cladding panels

**3.7.2 BUILDING HEIGHT**

All development is to be single storey and have a maximum wall height of 6.0 metres.





### **3.7.3 CAR PARKING**

Car Parking bays are to be provided within the leased area at a minimum rate as stipulated by the NCC. All visitor parking is to be contained within the leased area.

### **3.7.4 ABLUTIONS**

Ablutions facilities are to be provided as specified within the NCC.

### **3.7.5 STORAGE OF EQUIPMENT**

Storage of all equipment and material associated with the development is to be contained within the building(s) at all times.

### **3.7.6 MAINTENANCE OF BUILDINGS AND SURROUNDS**

The owners of development sites shall maintain the leased area in a neat and tidy manner and ensure the site is kept free of disused materials and rubbish.

### **3.7.7 RAINWATER TANK**

A minimum of 2,000 litre rain water tank is to be installed within the leased area.

Draft



#### 4.0 ASSESSMENT TOOL

GUIDELINE	COMPLIES?
Does the development comply within Latrobe Regional Airport 2015 Master Plan?	
Does the proposed height comply with the relevant OLS and PANS-OPS obstacle height limits?	
Does the proposed height comply with the precinct specific height control?	
Are building set back appropriately from internal and external roads and adjoining development?	
Is the developments main entry orientated to the road and is readily identifiable?	
Are facades well modulated and articulated?	
Are the materials proposed appropriate and compliant with the precinct specific materials to be used?	
Is building signage compliant with the development guideline?	
Is existing vegetation retained in accordance with the identified conservation areas?	
Does the proposed landscaping respond appropriately to the existing character and contribute positively to the site?	
Are proposed trees and shrubs low growing?	
Is 40% of the Airport site open space?	
Is 5% of each main development precinct area landscaped for open space?	
Is adequate solar access provided?	
Is boundary fencing a maximum of 1.8 metres in height and not located along the road frontage?	
Is the level of car parking provided suitable for the uses proposed?	
Are loading and servicing areas screened from view?	
Are services provided underground?	



Draft

A decorative graphic consisting of two horizontal bars. The top bar is brown and the bottom bar is dark blue. The blue bar is wider and extends further to the left and right than the brown bar.

## APPENDIX E

### AIRCRAFT NOISE CONTOURS (ANEF AND N-ABOVE)



<b>M13237/A/005</b>	<b>Long Range (2050) ANEF Contour Map</b>
<b>M13237/A/006</b>	<b>N60 Contours</b>
<b>M13237/A/007</b>	<b>N65 Contours</b>
<b>M13237/A/008</b>	<b>N70 Contours</b>

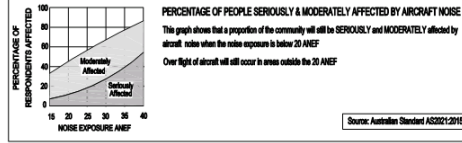
Draft

**LAND USE COMPATIBILITY ADVICE FOR AREAS IN THE VICINITY OF AUSTRALIAN AIRPORTS**

Shall be read in conjunction with AS2021:2015  
Acoustics - Aircraft noise intrusion - Building siting and construction

Building Type	ANEF zone of site		
	Acceptable	Conditionally acceptable	Unacceptable
Home, home unit, flat, caravan park	Less than 20 ANEF (note 1)	20 to 25 ANEF (note 2)	Greater than 25 ANEF
Hotel, motel, hostel	Less than 25 ANEF (note 1)	25 to 30 ANEF (note 2)	Greater than 30 ANEF
School, university	Less than 20 ANEF (note 1)	20 to 25 ANEF (note 2)	Greater than 25 ANEF
Hospital, nursing home	Less than 20 ANEF (note 1)	20 to 25 ANEF	Greater than 25 ANEF
Public building	Less than 20 ANEF (note 1)	20 to 30 ANEF	Greater than 30 ANEF
Commercial building	Less than 25 ANEF (note 1)	25 to 35 ANEF	Greater than 35 ANEF
Light industrial	Less than 30 ANEF	30 to 40 ANEF	Greater than 40 ANEF
Other industrial	Acceptable in all ANEF Zones		

- The actual location of the 25 ANEF contour is difficult to define accurately, mainly because of variation in aircraft flight paths. Because of this, the procedure of Clause 2.1.2 of the Standard may be followed for building sites outside but near to the 20 ANEF contour.
- Within 20 ANEF to 25 ANEF, some people may find that the land is not compatible with residential or educational uses. Land use authorities may consider that the incorporation of noise control features in the construction of residences or schools is appropriate. (See Exposure - Response graph below)
- There will be cases where a building of a particular type will contain spaces used for activities which would generally be found in a different type of building (e.g. an office in an industrial building). In these cases Table 2.1 of the Standard should be used to determine site acceptability, but internal design noise levels within the specific spaces should be determined by Table 3.3 of the Standard.
- The Standard does not recommend development in unacceptable areas. However, where the relevant planning authority determines that any development may be necessary within existing built-up areas designated as unacceptable, it is recommended that such development should achieve the required ANR determined according to Clause 3.2 of the Standard. For residences, schools, etc, the effect of aircraft noise on outdoor areas associated with the buildings should be considered.
- In case areas should new development take place in greenfield sites deemed unacceptable because such development may impact airport operations.



**GENERAL NOTE:**

- WHERE FIGURES HAVE BEEN ROUNDED DISCREPANCIES MAY OCCUR BETWEEN TOTALS AND THE SUMS OF COMPONENT ITEMS.
- AFTER EXAMINATION IT WAS DETERMINED THAT THE TERRAIN SURROUNDING LATROBE REGIONAL AIRPORT COULD HAVE AN INFLUENCE OVER THE SIZE AND SHAPE OF THE NOISE CONTOURS AND THEREFORE THE INCLUSION OF LOCAL TOPOGRAPHY IN THE MODEL WAS WARRANTED.

**AERODROME DATA**

LOCATION IDENTIFIER - YLTV (WAC 3055)  
Magnetic Variation - 12° EAST

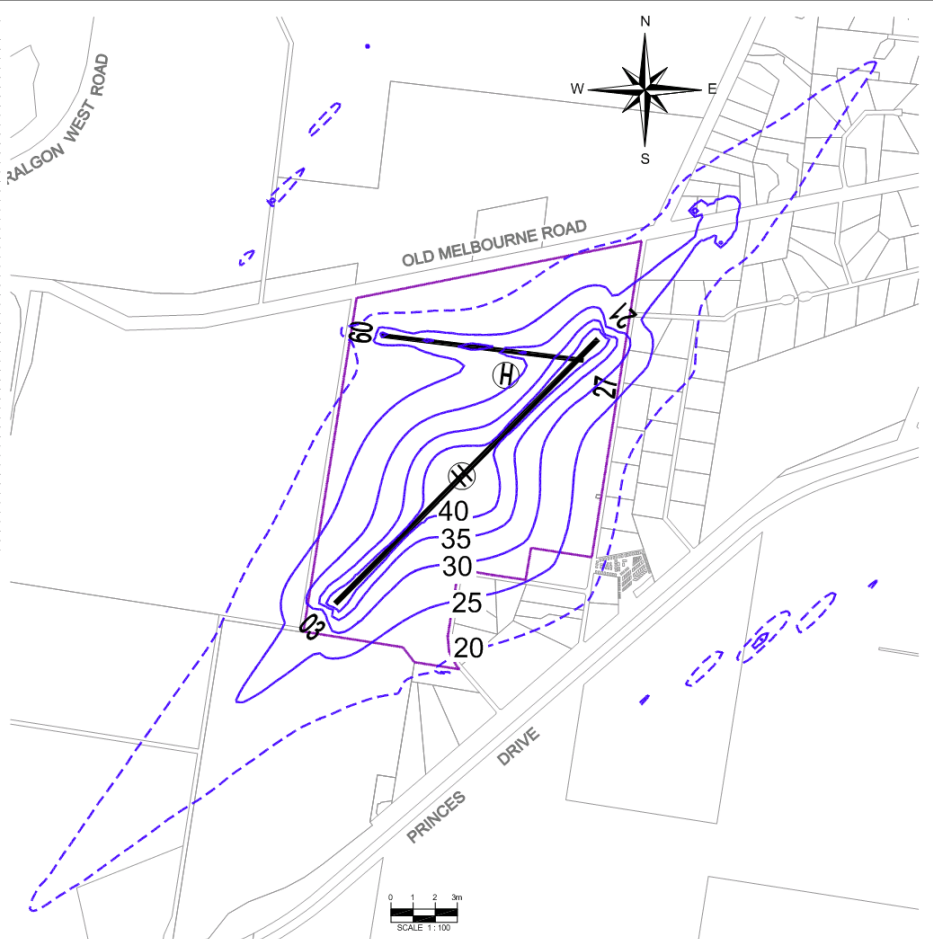
ELEVATION - 180 FEET

Aerodrome Reference Point - ARP (WGS 84)  
Latitude - 38° 12.4'  
Longitude - 146° 28.2'

**INM SOFTWARE:**

VERSION: FAA INM v7.0d  
DATE OF RUN: 20 JULY 2015

RUNWAY	AIRCRAFT	ARRIVAL		DEPARTURES		TRAINING		GRAND TOTAL
		DAY	NIGHT	DAY	NIGHT	DAY	NIGHT	
27/20	B737	0.00346	0.00173	0.00346	0.00173	0.00346	0.00173	2.00927
<b>27 Total</b>		<b>15.12483</b>	<b>7.56241</b>	<b>15.12483</b>	<b>7.56241</b>	<b>15.12483</b>	<b>7.56241</b>	<b>48.98002</b>



**ENDORSEMENT FOR TECHNICAL ACCURACY**

LONG RANGE ANEF

Date: \_\_\_\_\_

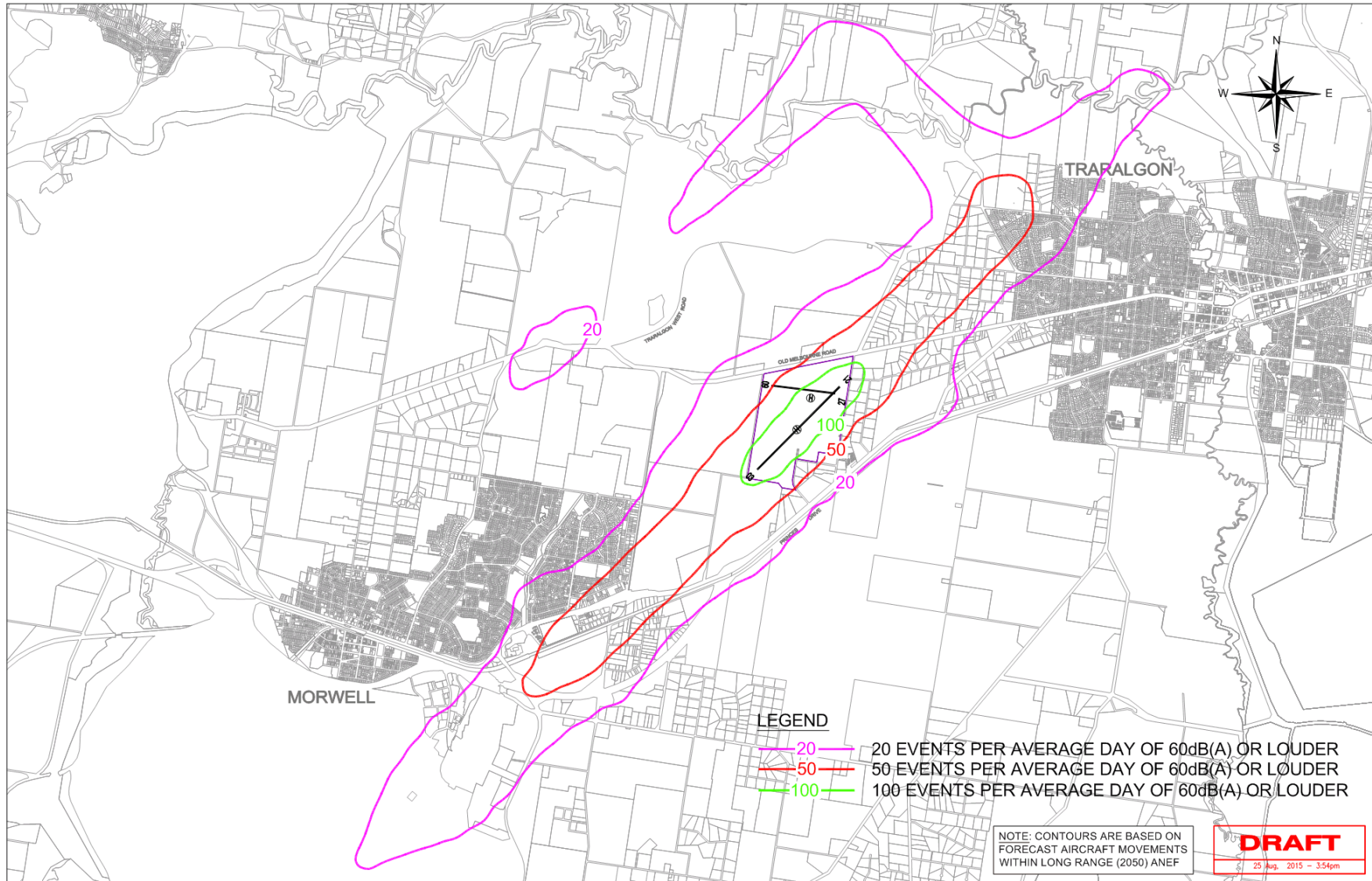
Executive General Manager Safety, Environment & Assurance  
Airlines Australia, Canberra

The aircraft noise contours on this chart have been calculated using an appropriate modelling process. Airlines Australia has, in accordance with the approved manner of endorsement, considered the physical characteristics of the airport or proposed runway in its endorsement process. The data used and assumptions made in that process are detailed in part from external sources. Airlines Australia makes no warranty or responsibility and excludes all liability for any loss arising from reliance on that information.

**DRAFT**

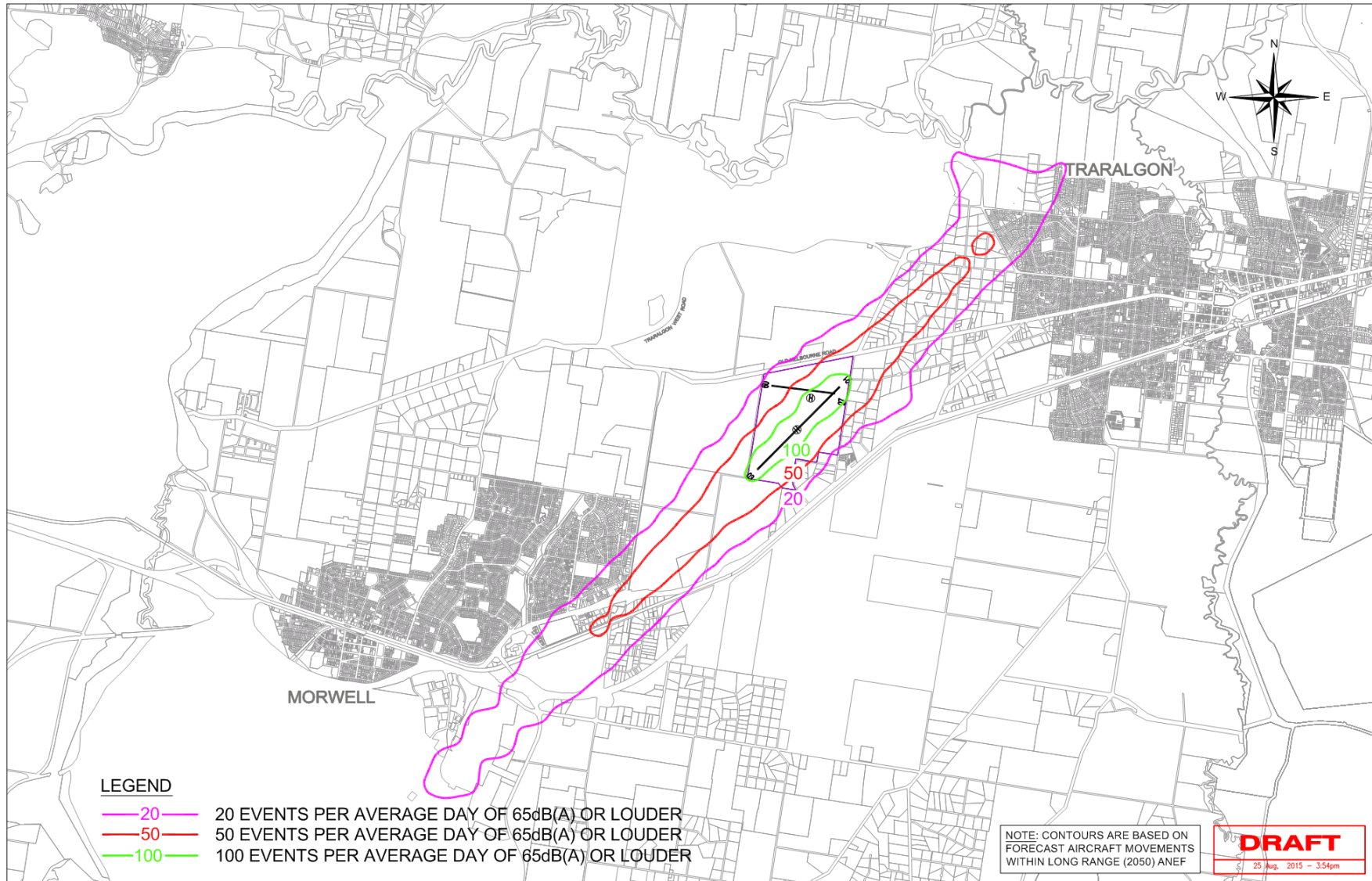
25 Aug, 2015 - 3:54pm

<p>2 19/09/15 ND DRAFT</p> <p>1 20/07/15 ND DRAFT</p> <p>0 17/07/15 ND DRAFT</p> <p>No. Date By Amendment Checked</p>				<p><b>REHBEIN</b></p> <p>Airport Consulting</p> <p>CBD HOUSE LEVEL 3 1/20 WICKHAM AVE ST HUBERT PO BOX 112 FORTITUDE VALLEY QLD 4006 A.C.N. 110685160 ABRN: 77126933768 TELEPHONE (07) 3250 9000 FACSIMILE (07) 3250 9001 EMAIL mol@re.net.au</p>		<p>Project: <b>LATROBE REGIONAL AIRPORT MASTER PLAN 2015</b></p> <p>Client: <b>LATROBE CITY COUNCIL</b></p> <p>Draftsperson: <b>ND</b> Checked: <b>B.J.H.</b> Sheet Size: <b>A1</b> Drawing No.: <b>M13237A005</b></p> <p>Designer: <b>ND</b> Approver: <b>B.J.H.</b> Date: <b>16/03/2015</b></p> <p>Scale: <b>AS SHOWN</b></p>	
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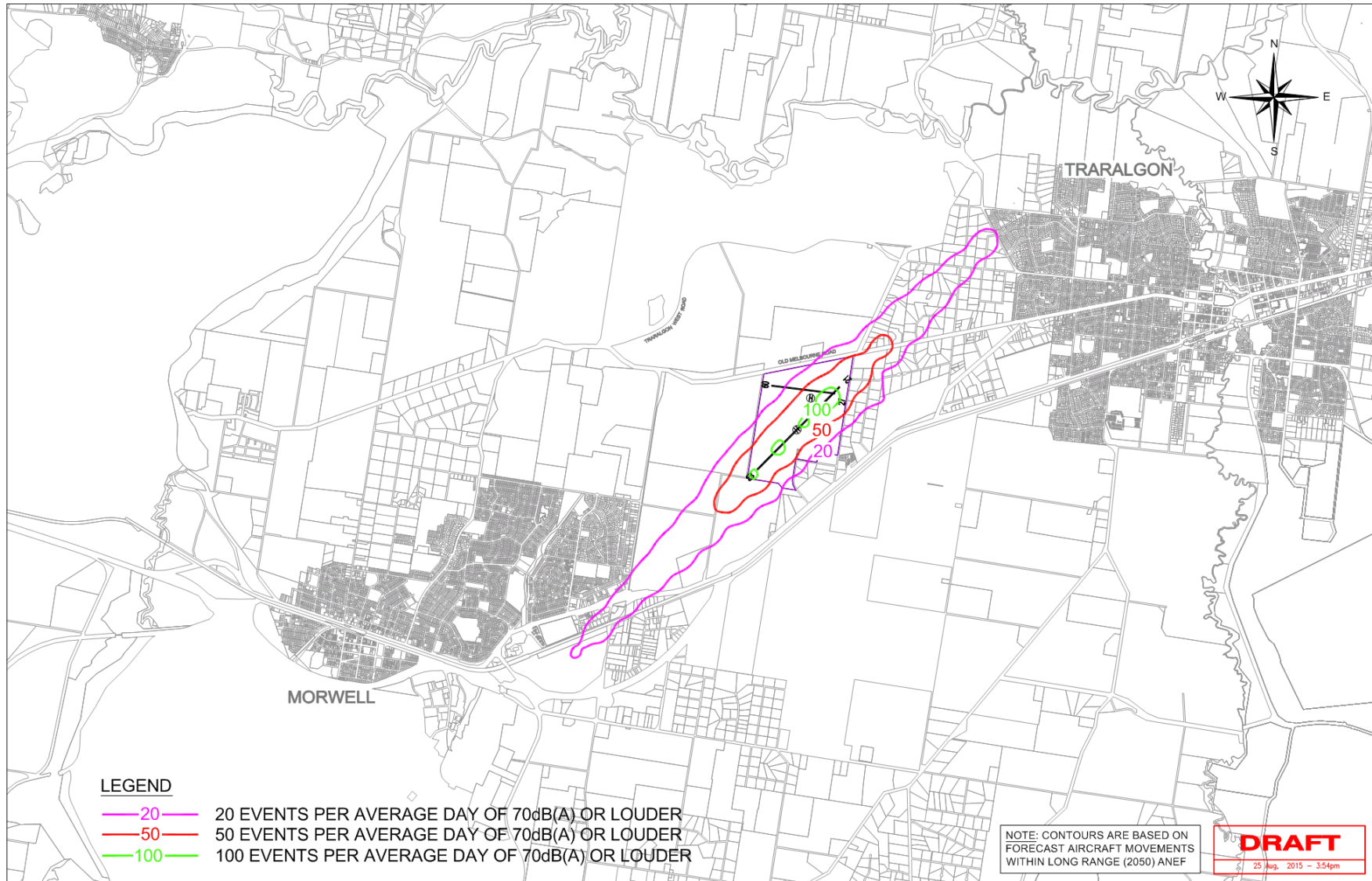
						Project: <b>LATROBE AIRPORT MASTER PLAN 2015</b>		Client: <b>Latrobe City Council</b>			
				CBD HOUSE LEVEL 3 120 WICKHAM STREET PO BOX 112 FORTUNE VALLEY QLD 4006 A.C.N. 110685160 A.B.N. 77126939768 TELEPHONE (07) 3250 9000 FACSIMILE (07) 3250 9001 EMAIL mal@ar.net.au		Title: <b>N60 CONTOURS</b>		Draftsman: <b>ND</b> Designer: <b>ND</b> Scale: <b>1:25,000 @ A3</b>		Checked: <b>B.J.H.</b> Approved: <b>B.J.H.</b> Date: <b>25/08/15</b>	
No. <b>0</b> Date <b>25/08/15</b> By <b>ND</b> Amendment <b>DRAFT</b>				Checked: <b>B.J.H.</b>		Sheet Size: <b>A3</b>		Drawing No.: <b>M13237A006</b>		0	

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						Project: <b>LATROBE AIRPORT MASTER PLAN 2015</b>		Client: <b>Latrobe City Council</b>			
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**14.2 PLANNING SCHEME AMENDMENT C85 - CRINIGAN ROAD,  
MORWELL**

**General Manager**

**City Development**

**For Decision**

**PURPOSE**

The purpose of this report is for Council to consider submissions received to Amendment C85 and to consider the proponents request to abandon the amendment.

**EXECUTIVE SUMMARY**

An application proposing to rezone land at Crinigan Road, Morwell from Farming Zone (FZ) to General Residential Zone – Schedule 1 (GRZ1) and apply the Development Plan Overlay – Schedule 5 (DPO5) was received from NBA Group (the Proponent) on behalf of DiFabro PD Pty Ltd (acting with consent of the landowners) on 16 September 2013.

In accordance with the prescribed processes, Amendment C85 was placed on public exhibition from 30 October 2014 to 8 December 2014. During this exhibition period six submissions were received, comprising of three from referral authorities, two from businesses and one from a neighbouring landowner. Of these six submissions, two raised concerns which related to bushfire risk and loss of rural amenity to the area. Following the exhibition period, an outcome with the proponent was sought in order to resolve the concerns raised by submitters.

Despite council's efforts, concerns of the submitters were unable to be resolved. As submissions cannot be satisfied, in accordance with Section 23(1) of the *Planning and Environment Act* 1987 the next step of the amendment process is to either request the Minister for Planning to establish a planning panel to independently consider all submissions or Council abandon the amendment.

On 26 May 2015 the proponent provided written advice to Latrobe City Council confirming that their client wishes to abandon Amendment C85 due to the ongoing costs that may be incurred by proceeding to a Planning Panel and the uncertain outcome of the planning scheme amendment process.

Council now must consider all submissions received and consider formally abandoning Amendment C85.

**ORDINARY COUNCIL MEETING AGENDA  
07 DECEMBER 2015 (CM475)****RECOMMENDATION**

That Council:

1. Considers all written submissions received to Amendment C85.
2. Considers NBA Group's letter of 26 May 2015 requesting Amendment C85 be abandoned.
3. Resolves to abandon Amendment C85 and inform the Minister for Planning of Council's decision in accordance with Section 28 of the *Planning and Environment Act 1987*.
4. Advises those persons who made written submissions to Amendment C85 of Council's decision.

Cr Kam returned, the time being 7:20pm

**MOTION**

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

**That Council:**

1. **Defer the consideration of Amendment C85 until advice has been received from the landowner on how they wish to proceed with the amendment.**
2. **That a report outlining the next steps be presented to Council no later than 30 October 2016.**
3. **Advises those persons who made written submissions to Amendment C85 of Council's decision.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

The Manager Future Planning declared an indirect interest under section 78 of the *Local Government Act 1989*. In order to provide unbiased advice to Council, the Manager Future Planning has not been involved 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 environment that is complementary to its surroundings, and which provides for a connected and inclusive community.*

*Strategic Objectives – Governance*

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

*Latrobe City Council Plan 2013 - 2017*

*Themes 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 proposal is considered to be consistent with this legislation.

**BACKGROUND**

The subject land is located at Crinigan Road, Morwell and is known as Lot 1 on PS634891 Volume 10581 Folio 877. The area is irregular in shape and is bound by Alexanders Road and farming land to the east, residential land to the south, industrial/future industrial land to the south east, farming land (plantations) to the north and residential and farming land to the west.

The area proposed to be rezoned comprises part of an allotment totalling 36.42 hectares of which the subject site comprises approximately 24 hectares. The site comprises part of the total 80 hectares of land that forms the Crinigan Road Development Plan (CRDP) which was endorsed by Council on 12 December 2012. An aerial image outlining the subject site is provided at Attachment 1.

## ORDINARY COUNCIL MEETING AGENDA 07 DECEMBER 2015 (CM475)

The subject land includes part of the remaining section of the endorsed CRDP that is still in the Farming Zone and is identified for future residential development in the Morwell Structure Plan.

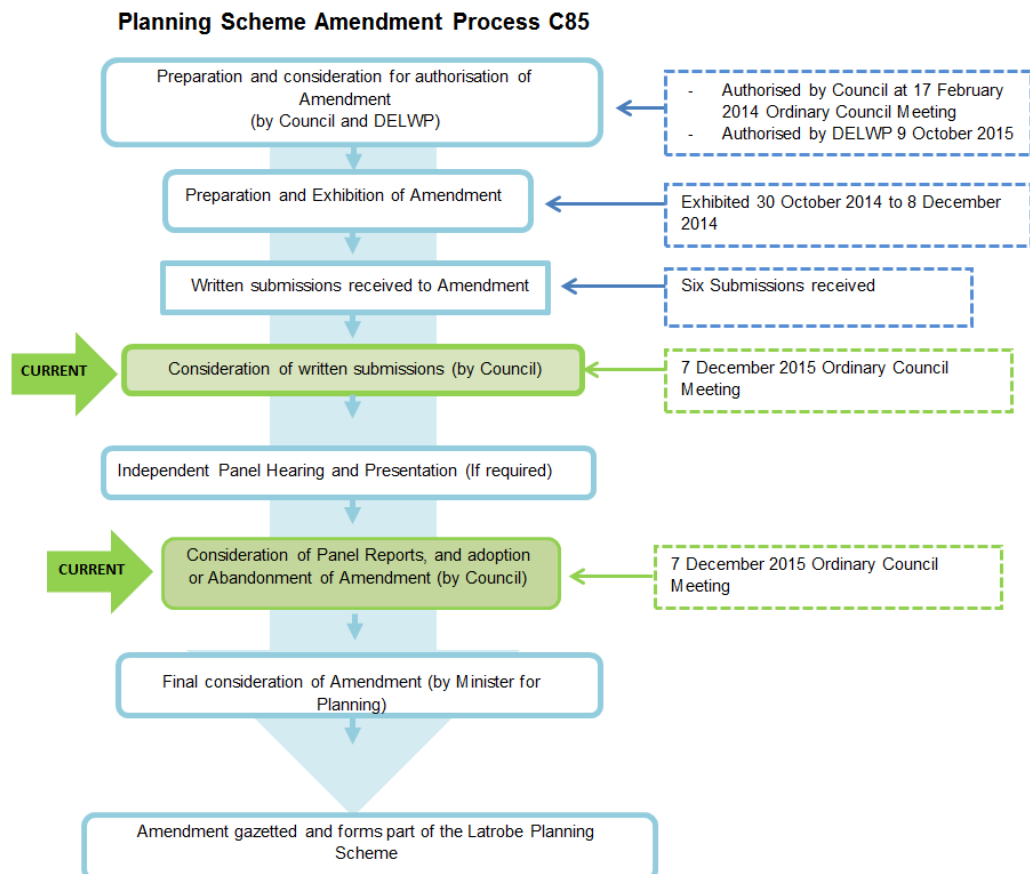
Amendment C85 proposes to:

- Rezone land located north of Crinigan Road and west of Alexanders Road from Farming Zone to General Residential Zone – Schedule 1;
- Apply the Development Plan Overlay – Schedule 5; and
- Update the Schedule to Clause 61.03 to insert new planning scheme maps into the Latrobe Planning Scheme. (See Attachment 2 for proposed zoning maps).

Latrobe City Council received an application to amend the Latrobe Planning Scheme in December 2012 from SMEC Urban on behalf of the current landowners of land at Crinigan Road, Morwell. An initial review of the documents submitted with the application identified the need for further information and minor alterations to strengthen the strategic justification of the proposal. Subsequently, Latrobe City Council received a revised application from NBA Group Pty Ltd acting on behalf of DiFabro PD Pty Ltd (acting with consent of the landowners) on 16 September 2013.

### Statutory Requirements

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



## ORDINARY COUNCIL MEETING AGENDA 07 DECEMBER 2015 (CM475)

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

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

Amendment C85 has had regard and is consistent with the requirements of Section 12 of the Act. In addition each amendment must address the Department of Transport, Planning and Local Infrastructure (DTPLI) publication *Strategic Assessment Guidelines for Planning Scheme Amendments July 2014*. A response to these guidelines is outlined in the attached Explanatory Report, (see Attachment 3 - C85 Explanatory Report).

The proposal is consistent with the State Planning Policy Framework and the Municipal Strategic Statement (MSS). This is explained in the attached Explanatory Report.

### Planning Scheme Amendment C85

At the Ordinary Council Meeting held on 17 February 2014, Council resolved to seek the Minister for Planning's Authorisation to prepare and exhibit the proposed Amendment C85.

Authorisation for Amendment C85 was received on 16 April 2014, with a condition that Amendment C85 not be placed on exhibition until a determination from the Advisory Committee for Amendment C84 (application of the new residential zones) had been received. This determination was formally gazetted on 9 October 2014.

Amendment C85 was placed on public exhibition from 30 October 2014 to 8 December 2014 (approximately five weeks).

### Related Planning Scheme Amendments

Planning Scheme Amendment C47 was previously undertaken by the Minister for Planning and sought to rezone a number of landholdings identified as future residential within the Morwell Structure Plan. As a result, land at 175 Crinigan Road, Morwell was rezoned in March 2011 to Residential 1 Zone with a Development Plan Overlay Schedule 5. Although identified as future residential within the Morwell Structure Plan, the adjoining land at Crinigan Road (the subject land) and also 175 Alexanders Road, Morwell (adjoining the subject land) remained as Farming Zone with the intent that the Farming Zone land would be subject

**ORDINARY COUNCIL MEETING AGENDA  
07 DECEMBER 2015 (CM475)**

to a future separate process to rezone the land to a residential zone. In order to facilitate the strategic direction of the Morwell Structure Plan and the Crinigan Road Development Plan, the subject site is required to be rezoned to General Residential Zone.

**INTERNAL/EXTERNAL CONSULTATION**

Amendment C85 was placed on public exhibition during the period of 30 October 2014 to 8 December 2014 (approximately five weeks).

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

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

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

A total of six written submissions were received to Amendment C85. Of these six submissions received, two raised concerns which related to bushfire risk and loss of rural amenity to the area. Following the exhibition period, an outcome with the proponent was sought in order to resolve the concerns raised by submitters.

This included a number of discussions with the Country Fire Authority (CFA) and one meeting with a landowner.

A summary of the two key issues and comments raised in submissions that have been received in response to Amendment C85 have been provided below. Refer to Attachment 4 for the full set of submissions.

**KEY POINTS/ISSUES**

Two key themes of concern were identified in the submissions as a result of the exhibition period. These themes relate to:

1. Loss of amenity; and
2. Bushfire risk.

A more detailed response to themes 1 and 2 are provided at Attachment 5 to this report.

**Loss of Amenity**

Submitter 4 raised concerns in relation to the loss of rural amenity as a result of the encroaching urban interface and due to the alleged antisocial behaviour from neighbours that impacts on the submitters land. Concerns were also raised in relation to the potential impact on access to services as a result of the subject land being developed.

Amendment C85 proposes to facilitate the objectives of the Morwell Structure Plan and the Crinigan Road Development Plan, which identifies that residential development is appropriate for the subject land. Any future urban design over the subject site will need to be sympathetic to existing land uses and also be generally in accordance with the approved Crinigan Road Development Plan.

**ORDINARY COUNCIL MEETING AGENDA  
07 DECEMBER 2015 (CM475)**

Advice from the relevant authorities is that the submitter's access to services will not be largely impacted by the development of the subject site.

The submitter has advised that they will continue to oppose the implementation of the Crinigan Road Development Plan.

**Bushfire Risk**

The subject site is not currently affected by the Bushfire Management Overlay (BMO), but the properties directly to the north, east and north-west of the subject site are affected by the BMO. The subject site is designated as a Bushfire Prone Area under the Building Regulations.

Concerns have been raised by the CFA in relation to the potential bushfire risk presented by the expanse of plantations (north of the subject site) and therefore the suitability of the subject land for residential use and development.

A number of discussions have been held with the CFA to better understand their concerns and to reach an acceptable solution.

At a meeting held on 26 March 2015 with the CFA, NBA Group, DiFabro PD Pty Ltd and council staff, the CFA indicated that in order to support the proposed amendment, changes would be required to the approved Crinigan Road Development Plan and the Planning Scheme Amendment C85 proposal. The required changes are summarised below:

- Apply the BMO to the area within 150 metres of the plantation to the north;
- Prepare a Schedule to the BMO to set out construction and design standards; and
- Amend the C85 Explanatory Report and Crinigan Road Development Plan to more adequately respond to State Planning Policy Clause 13.05 (Bushfire).

Council officers agree with the position of the CFA that bushfire consideration needs to be strengthened in the Amendment C85 proposal and the Crinigan Road Development Plan. The proponent considered making these changes, but given the submission regarding loss of amenity is outstanding, the amendment would be required to be referred to a Planning Panel in order to proceed.

The proponent verbally advised that given the potential costs of the amendment proceeding to a Planning Panel Hearing and the uncertain outcome of this process it was likely their client would not want to proceed with the amendment. This was confirmed in writing by the proponent on 26 May 2015 (refer to Attachment 6).

All key stakeholders were verbally notified that the proponent had requested that the amendment be abandoned.

**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 implications if Council abandons Amendment C85.

**OPTIONS**

The options available to Council are as follows:

1. That Council, after considering all written submissions received to Amendment C85 and advice from the proponent that they wish to abandon the amendment, resolves to abandon Amendment C85.  
or
2. That Council, after considering all written submissions received to Amendment C85 and advice from the proponent that they wish to abandon the amendment, resolve to proceed with the amendment as a council driven Planning Scheme Amendment.

The recommendation to Council is to support Option 1. Given that there is no immediate need for an increase in residential land supply in Morwell, the option for the amendment to become council driven Planning Scheme Amendment is not justified at this time.

**CONCLUSION**

Amendment C85 proposes to:

- Rezone land located north of Crinigan Road and west of Alexanders Road from Farming Zone to General Residential Zone – Schedule 1;
- Apply the Development Plan Overlay – Schedule 5; and
- Update the Schedule to Clause 61.03 to insert new planning scheme maps into the Latrobe Planning Scheme.

More broadly, Amendment C85 proposes to implement the Latrobe Planning Scheme Morwell Structure Plan and the endorsed Crinigan Road Residential Development Plan.

Following the exhibition period the proponent provided written advice to Latrobe City Council confirming that their client wishes to abandon Amendment C85 due to the ongoing costs that may be incurred by proceeding to a Planning Panel and the uncertain outcome of the planning scheme amendment process.

Given that development of the residential area of the Crinigan Road Development Plan is currently available for subdivision, it is not considered essential that the subject site is immediately rezoned. This is due to the land being located at the rear of an existing residential zoned area and at the edge of the Morwell Structure Plan settlement boundary where the efficient provision of key shared infrastructure will not be jeopardised if the land is not rezoned at this point in time. It is expected that infrastructure will be able to be extended from the existing zoned area once the area is developed and the subject land is subsequently rezoned to a residential zone in the future. It is therefore recommended that the market drive the rezoning of this subject site.



**ORDINARY COUNCIL MEETING AGENDA  
07 DECEMBER 2015 (CM475)**

If Council do not resolve to abandon Amendment C85, in accordance with section 30(1) of the *Planning and Environment Act 1987*, the amendment will lapse on 30 October 2016 as it will be two years after the date of publication of the notice in the Government Gazette.

The recommendations of this Council Report are in accordance with Section 28 of the Act.

**SUPPORTING DOCUMENTS**

Crinigan Road Development Plan (December 2012)

Amendment C85 – Background Report (with Appendices)

**Attachments**

1. Subject Site
2. Zoning Maps
3. Amendment C85 Explanatory Report
4. Community & Agency Submissions (Published Separately) (Confidential)
  5. Summary of Submissions
6. Letter from NBA Group 26 May 2015 - Abandoning Amendment C85

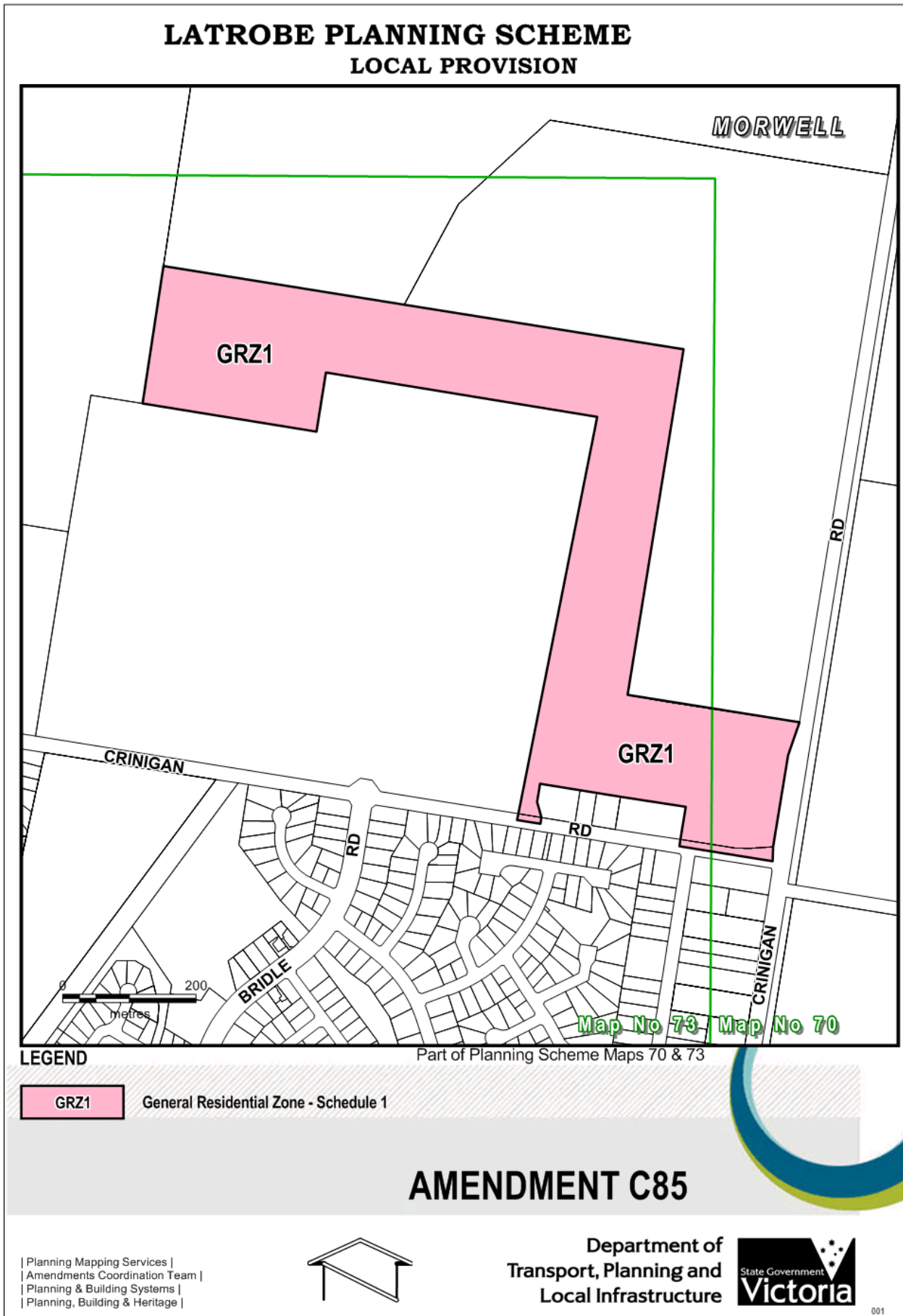
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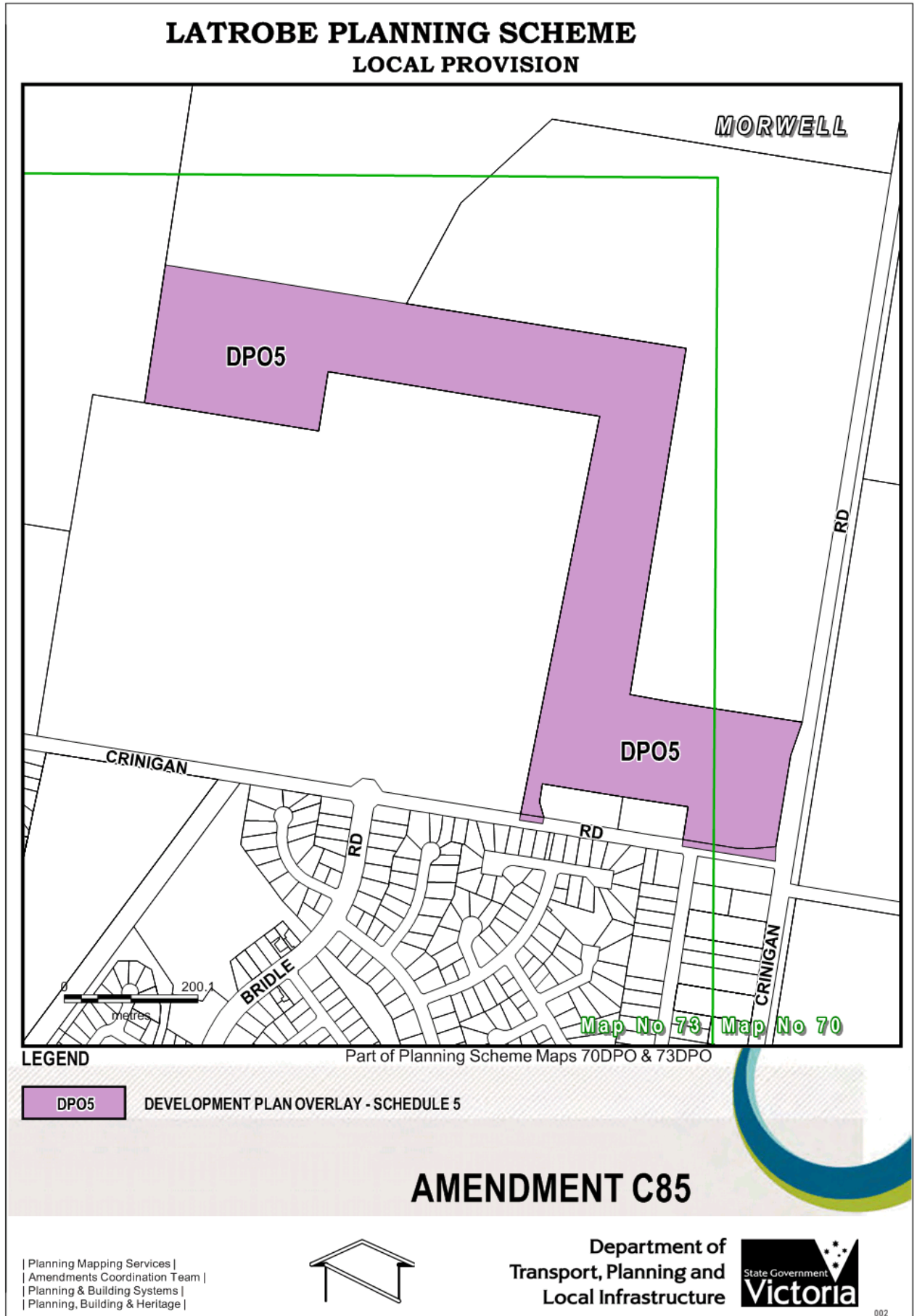
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*Outline of land to be rezoned – Amendment C85*





*Planning and Environment Act 1987*

## **LATROBE PLANNING SCHEME AMENDMENT C85 EXPLANATORY REPORT**

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

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

The amendment has been made at the request of NBA Group Pty Ltd on behalf of DiFabro PD Pty Ltd.

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

The amendment applies to land situated to the north of Crinigan Road and west of Alexanders Road. It is contained within Area 7 of the Morwell Structure Plan. Formally it is part of Lot 1 on PS634891 and is contained within Certificate of Title Volume 10581 Folio 877. The exact area of land affected by the amendment is shown in a proposed plan of subdivision (PS731195E) included at Attachment 1 to this report.



*Outline of land to be rezoned*

### **What the amendment does**

The amendment seeks to:

- Rezone part of Lot 1 on PS634891 north of Crinigan Road, Morwell from Farming Zone to General Residential Zone - Schedule 1 (GRZ1).
- Apply the Development Plan Overlay – Schedule 5 (DPO5) Residential Growth Areas to the General Residential Zone - Schedule 1 (GRZ1) to facilitate the development of the land in accordance with the approved Crinigan Road Development Plan (CRDP); and
- Amends Planning Scheme Maps 70 & 73 by placing the General Residential Zone - Schedule 1 (GRZ1) and the Development Plan Overlay – Schedule 5 (DPO5) over the subject land.

## Strategic assessment of the amendment

### • Why is the amendment required?

The Latrobe City *'Residential and Rural Residential Land Assessment 2009'* presents an analysis of the demand and supply of residential land within the municipality. It notes that there is evidence that future population growth in Latrobe may be in excess of recent trends and, therefore, the moderate or high growth scenario should be adopted for the purpose of planning for the future residential and rural residential land requirements in Latrobe. The assessment estimates a forecast demand for Morwell of approximately an additional 1,210 new dwellings over the next 10 years and approximately 1,840 new dwellings over the next 15 years (i.e. from 2008 to 2023).

The amendment is required to provide the opportunity to assist in accommodating the projected population growth for Morwell. It will allow a future permit application to be made to develop the land in accordance with the State Planning Policy and Local Planning Policy Frameworks and more particularly in accordance with the Morwell Structure Plan and the endorsed Crinigan Road Development Plan (CRDP). Within the Morwell Structure Plan (included at Clause 21.05 of the Scheme), the site is designated as 'future residential'. Latrobe City Council endorsed the CRDP at its Ordinary Meeting on 12 December 2012 which provides an urban layout over the subject land. The proposed Development Plan Overlay Schedule 5 is intended to provide the statutory mechanism to implement the CRDP over the subject land to ensure the orderly and considered development of the land.

Furthermore the amendment presents the opportunity to increase competition within the housing market and offer a diversity of allotment and housing choice to the population.

### • How does the amendment implement the objectives of planning in Victoria?

The objectives of planning in Victoria are (*inter alia*):

- To provide for the fair, orderly, economic and sustainable use and development of land.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- To facilitate development in accordance with the objectives set out in the points above.
- To balance the present and future interests of all Victorians.

The amendment implements the objectives of the *Planning and Environment Act 1987* (the Act) by contributing to the land supply in Morwell to efficiently and effectively meet the community needs now and into the future.

The Morwell Structure Plan and CRDP have each been through an extensive public consultation process which has ensured that the public and key agencies have considered in detail the suitability of the site for urban development, as well as considering a layout for the area. The CRDP creates a framework for a high quality urban environment which meets the needs of the community and provides access to relevant infrastructure and community services.

### • How does the amendment address the environmental effects and any relevant social and economic effects?

### Environmental Effects

It is considered that the rezoning of the land will have minimal impact on the environmental values of the site. A Native Vegetation Assessment was prepared as part of the preparation of the CRDP and acknowledges that the site is completely planted with a mixture of two Eucalypt species (plantation vegetation). However, as per the definitions within the Native Vegetation Framework it is not considered indigenous and therefore does not require either a permit for removal or offsetting.

A Surface Water Management Strategy was also prepared as part of the CRDP and details appropriate treatment of the two waterways that traverse the site. Preliminary design of retarding basins and wetlands were undertaken in preparation of the CRDP with detailed design to occur at the subdivision stage. It is submitted that the development of the land can occur without detrimental impacts to the waterways, and as such the amendment will not have an adverse environmental impact.

A key consideration in the preparation of both the rezoning and development plan is the interface to industrial land. Numerous discussions have been had between Environment Protection Authority and Australian Paper and Council and an appropriate interface treatment to the nearby industrial areas has been prepared within the CRDP. An indicative odour buffer from the Australian Paper Maryvale Mill has been prepared (although is awaiting endorsement from Council), and the portion of the subject site to be zoned for urban residential purposes is outside the nominated buffer area.

Impacts on natural features such as Waterhole Creek and the designated cultural heritage significant areas have been considered in the background reports informing the CRDP. These documents will be implemented as part of the future subdivision process.

### Social and Economic Effects

The proposed amendment has considered the social and economic effects caused by the amendment.

Morwell town centre is located approximately 4.3kms south of the site and contains a variety of township facilities that will service the site. In addition, there is a possible Neighbourhood Activity Centre indicated within the CRDP. Future development of land in accordance with the CRDP will facilitate the provision of integrated services such as road connections, bike and pedestrian links and public open space areas to ensure the new neighbourhood centre is easily accessible.

Economic effects of the amendment are expected to be positive as the future development of the land will provide opportunities for new housing development to assist in affordable housing and choice within the area. There will also be additional job creation throughout the construction stage of the precinct, as well as the additional expenditure resulting from the population increase in the area. It is also expected that once the land is made available for residential development, demand will rise and in turn a positive benefit will be provided to the town through the building industry and increased population accessing local businesses and services.

#### • **Does the amendment address relevant bushfire risk?**

The proposed amendment addresses the relevant bushfire risk as required. It is acknowledged that the current use of the site as plantation presents a bushfire risk, and it is understood that the revised bushfire mapping that is yet to be released by the State Government intends to reintroduce a Bushfire Management Overlay (BMO) to the subject site. If the proposed BMO is applied to the subject land and the existing timber plantation is removed, then the land owner may seek advice from the Country Fire Authority to have the BMO altered or removed. Council may also consider the preparation of a Schedule to the BMO at the time as appropriate. Initial comments received from the Country Fire Authority on 11 December 2013 acknowledges the reduction in bushfire risk should the plantation be removed from the subject site. However, the retention of plantation on neighbouring land to the north will need to be considered in the design at subdivision stage.



- **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is affected by and complies with, Ministerial Direction 11 Strategic Assessment of Amendments under Section 12 of the Act. The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act. The amendment is affected by and complies Ministerial Direction 15 Planning Scheme Amendment Process of the Act.

- **How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The proposed amendment is considered to compliment the objective of the SPPF by providing zones and overlay controls that will facilitate the efficient expansion of urban areas within Morwell.

In particular, the amendment is:

- Consistent with Clause 11 – Settlement by providing land for settlement in an area that is provided with utility, urban and social services. The Morwell Structure Plan and CRDP have designated the subject land as being suitable for future residential use. The amendment will improve the supply of residential land in an area identified at Clause 11.05 as a major regional City in the Regional Victoria Settlement Framework. In particular, the amendment addresses State Planning Policy by allowing future development to provide for a diversity of dwelling types, increased housing choice and affordability, which are to be supported through the Development Plan Overlay Schedule.
- Consistent with Clause 12 – Landscapes by ensuring that the landscape and habitat values of Waterhole Creek will only be improved as a result of the urban development of the site. Water quality features will be incorporated into the design at the subdivision stage in accordance with the recommendations of the Surface Water Management Strategy.
- Consistent with Clause 13 – Environmental Risks by assisting in the protection of life, property and community infrastructure from flood hazard. The amendment has considered the applicable Land Subject to Inundation and Flood Overlays for which a detailed Surface Water Management Strategy was prepared during the preparation of the CRDP. Future development of the land will be required to be in accordance with the CRDP which proposes stormwater management techniques, which will be required to be implemented at the subdivision stage.
- Consistent with Clause 14 – Natural Resources by considering the need to protect and restore the existing waterways on site. The CRDP proposes a series of retarding basins and wetlands and the proposed amendment including the implementation of the Development Plan Overlay Schedule 5 will ensure future development of the land occurs generally in accordance with the CRDP and thus ensuring the proposed treatments are implemented and no detrimental impacts to waterways will be caused.
- Consistent with Clause 15 – Built Environment as the site is well located to utilise existing infrastructure and community facilities resulting in a more sustainable and integrated community within Morwell. A Cultural Heritage Management Plan will be required prior to the granting of a planning permit for subdivision.
- Consistent with Clause 16 – Housing as the amendment will provide for new residential development in a location with access to existing physical and community infrastructure. The CRDP will ensure that the land is developed in an integrated fashion, will provide for housing diversity and affordability, provides a safe and convenient road network, provides appropriate pedestrian and cycle paths and sufficient space for public open space is available.
- Consistent with Clause 17 – There will be positive economic impacts as a result of the proposal through additional job creation throughout the construction stage of any

development, as well as the increased expenditure associated with future residents and any increase in population.

- Consistent with Clause 18 – The site is proximate to existing public transport services, which will only be enhanced as part of the implementation of the CRDP.
- Consistent with Clause 19 – Infrastructure as the amendment will expand on an existing residential area that has good access to existing physical, social and recreation infrastructure. There are also a range of new services proposed as part of the overall CRDP and the proposed amendment will provide for the more intensive use of these existing and proposed services.

- **How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

*Clause 21.03 – Natural Environment Sustainability:* The proposed amendment has no impacts on the environmental values of the site with the only vegetation on site declared as non-indigenous as per the Native Vegetation Framework. Appropriate treatment of stormwater, flooding and the declared waterways are detailed in the CRDP for which future development must be generally in accordance with.

*Clause 21.04 – Built Environment Sustainability:* The proposed amendment is consistent with the objectives of this Clause, by building upon the existing township of Morwell as part of an integrated network of urban areas, and maximising the use of existing infrastructure.

*Clause 21.05 – Main Towns:* The proposed amendment is consistent with the objectives relating to Main Towns, which seeks to provide the flexibility for development to occur in each town to accommodate the needs of its population. The amendment site is situated within the Morwell Structure Plan as Area 7 Future Residential.

*Clause 21.08 – Liveability:* The proposed amendment is consistent with the objectives of Clause 21.08, by providing for future residential development in a location well serviced by existing social and recreational services and infrastructure.

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

The amendment makes proper use of the Victoria Planning Provisions by:

- Applying the General Residential Zone - Schedule 1 (GRZ1) to provide for future residential development in accordance with the Latrobe Planning Scheme Morwell Structure Plan.
- Applying the Development Plan Overlay – Schedule 5 (DPO5) to land whereby a Development Plan has already been prepared and approved.

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

The views of relevant agencies were considered as part of the approval of the CRDP which includes the subject site. The proposed amendment simply seeks to rezone land to allow for residential development as per the approved development plan and the Latrobe Planning Scheme Morwell Structure Plan. Preliminary advice has been sought from relevant agencies, who will again be consulted as part of the exhibition of the amendment to ensure their views are appropriately addressed.

- **Does the amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is considered to be consistent with the objectives of the *Transport Integration Act 2010* as the rezoning facilitates an urban framework where future residents will have access to public transport services throughout the Latrobe Valley, and a transport system which enables residents to travel safely and efficiently on public transport.

### 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 a negligible impact on the resource and administrative costs of the responsible authority. The amendment, if approved will result in a permit application to provide for the subdivision and development of the land due to the endorsed development plan already in place for the subject site. It is not considered that this application will have significant impact on the resource and administrative costs of the responsible authority.

### Where you may inspect this Amendment

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

- Latrobe City Council, Corporate Headquarters, 141 Commercial Road, Morwell VIC 3840
- Latrobe City Council, Traralgon Service Centre, 34-38 Kay Street, Traralgon VIC 3844
- Latrobe City Council, Moe Service Centre, 44 Albert Street, Moe VIC 3825
- Latrobe City Council, Churchill Service Hub, 9-11 Philip Parade, Churchill VIC 3842

The amendment can also be inspected free of charge at the Department of Transport, Planning, and Local Infrastructure website at

<http://www.dpcd.vic.gov.au/planning/publicinspection>.

### Submissions

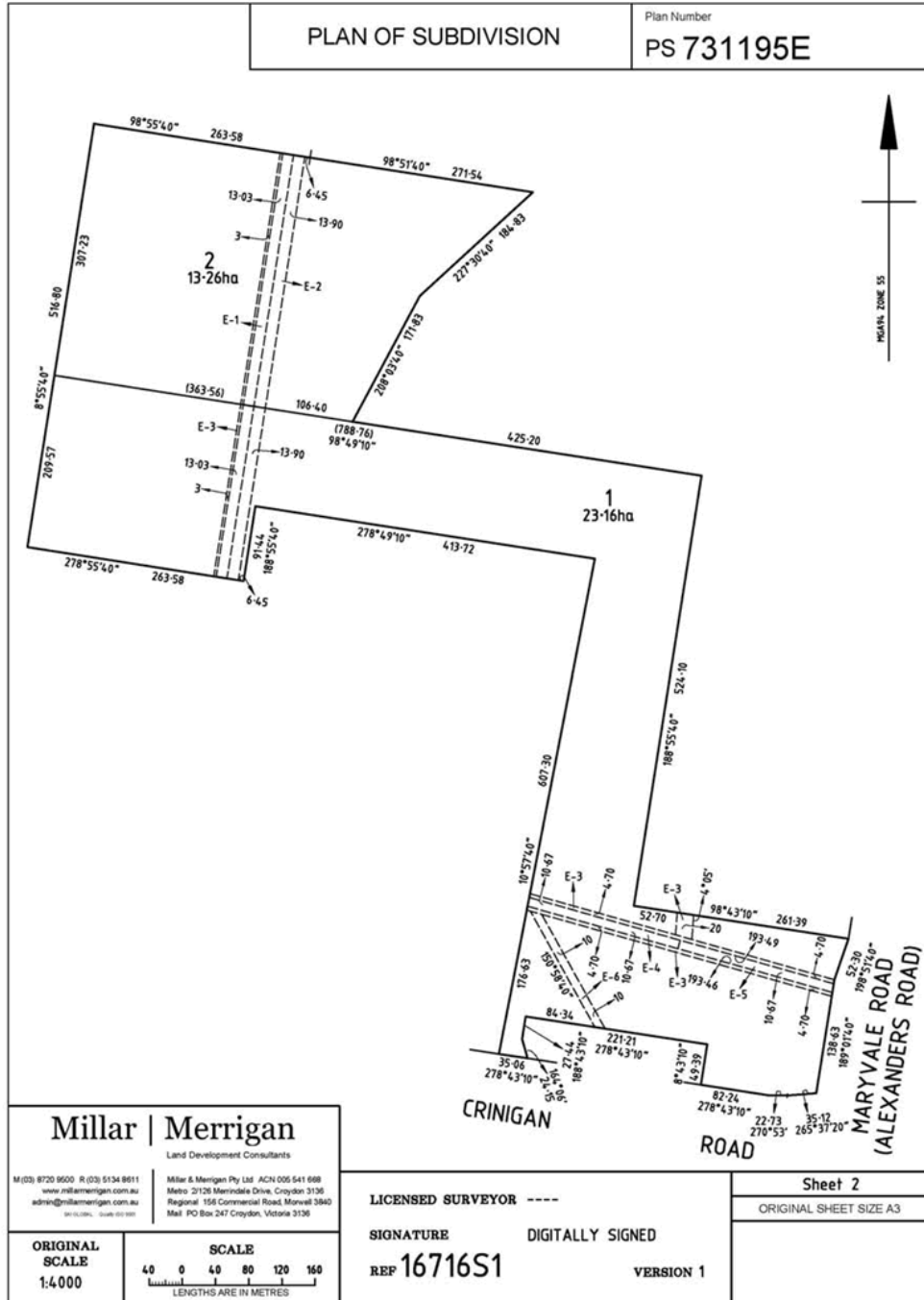
Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 8 December 2014. All submissions must be sent to: Ms Kiesha Jones, Urban Growth Project Officer, Latrobe City Council 141 Commercial Road, Morwell VIC 3840

### Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: To commence in the week of 2 March 2015.
- panel hearing: To commence in the week of 6 April 2015.

Attachment 1 - Proposed plan of subdivision



### Summary of Submissions

Sub Number	Submitter	Submission Issue	Planning Comment	Change Required to Amendment C85 Yes/No
1	West Gippsland Catchment Management Authority	<p>Supports the proposed rezoning in principle as it is consistent with the overall Crinigan Road Development Plan.</p> <p>Before the Authority can support any subsequent subdivision, the extensive waterway works recommended in the '<i>Crinigan Road, Morwell Revised Surface Water Management Strategy</i>' (2013) report must be implemented.</p>	Comment of no objection noted.	No
2	APA Group	This proposal will not affect existing gas assets and consequently APA Group has no objection.	Comment of no objection noted.	No
3	Country Fire Authority	<p>The CFA raised concerns regarding:</p> <ul style="list-style-type: none"> <li>The sites close proximity to a long tract of timber plantations to the north and the perceived fire risk this presents; and</li> <li>Relevant State Planning Policy in relation to Bushfire has not been adequately addressed.</li> </ul> <p>The CFA requests that the Amendment is referred to a panel to determine;</p> <ul style="list-style-type: none"> <li>If the Amendment meets the objectives and strategies in the State Planning Policy Framework – Bushfire;</li> <li>If appropriate separation between bushfire hazard and future development will be provided; and</li> <li>The most appropriate mechanism for ensuring bushfire risk is mitigated.</li> </ul>	<p><b>Proximity to Plantations</b> Council officers acknowledge that consideration needs to be strengthened. Through the planning panel process, council officers would seek to have the Bushfire Management Overlay applied to the area within 150 metres of the plantation to the north. This would ensure appropriate setbacks and landscaping are provided in those properties that are in close proximity to the plantation.</p> <p><b>State Planning Policy</b> Officers propose to amend the C85 Explanatory Report and Crinigan Road Development Plan to more adequately respond to State Planning Policy Clause 13.05 (Bushfire). It is proposed through the planning panel process that these documents be amended.</p>	Yes

Sub Number	Submitter	Submission Issue	Planning Comment	Change Required to Amendment C85 Yes/No
4	Donald & Judy Alexander	<p>The submitter has raised concerns regarding:</p> <ul style="list-style-type: none"> <li>• Their loss of access to water and electricity as a result of the subject land being rezoned; and</li> <li>• Impact on their property as a result of the urban interface, such as trespassing, vandalism and harm to stock.</li> </ul> <p>The submitter has previously objected and will continue to oppose the implementation of the Crinigan Road Development Plan.</p>	<p><b>Access to water and electricity</b></p> <p>It is understood that the submitter currently has a private water service arrangement in place with Gippsland Water which traverses the land owned by HVP Plantations. If this is to continue in the future, an arrangement would need to be made between HVP Plantations and the submitter as to where the pipe could potentially be relocated to. This is not something that Latrobe City Council or Gippsland Water can determine.</p> <p>If a new arrangement cannot be made, it may be possible that a connection could be made with the new water main infrastructure that will be brought through as a result of any future residential subdivision on neighbouring land. It is noted that a cost would be associated with this connection. Advice from Gippsland Water is that the connection fee would be minor.</p> <p>In relation to access to power, advice from Ausnet Services is that they will not grant Statement of Compliance (i.e. approval) to any subdivision unless any existing services have been rearranged. The cost of rearranging the service would be at the expense of the developer, not the existing customer whose service needs rearranging.</p>	No

Sub Number	Submitter	Submission Issue	Planning Comment	Change Required to Amendment C85 Yes/No
			<p><b>Perceived impact on property</b> These concerns cannot be resolved through any planning controls or Amendment C85. The issues of trespassing, vandalism, harm to stock and damage to property are matters for the Victorian Police. The submitter has been encouraged that contact be made with Victoria Police to discuss this further.</p> <p><b>Opposition to Crinigan Road Development Plan</b> The submitter is not obligated by the overarching Crinigan Road Development Plan or the rezoning of this subject site to further develop their land. The submitter can continue their farming operations if Amendment C85 is approved.</p>	
5	Australian Paper	<p>Accepts the proposed Amendment C85.</p> <p>This land is located outside of the Amenity Buffer included in the Traralgon Growth Areas Review and Planning Scheme Amendment C87.</p>	Comment of no objection noted.	No
6	HVP Plantations	<p>Supports the rezoning of the land at Crinigan Road Morwell to General Residential Zone.</p> <p>Request that HVP be provided with an opportunity to participate in the planning panel process if a panel is appointed.</p>	Comment of no objection noted.	No



**26 May 2015**

Ms. Keisha Jones  
Urban Growth Project Officer  
Latrobe City Council  
PO Box 241  
MORWELL VIC 3844

Dear Keisha,

**Reference: Di Fabrizio - Amendment C85 to the Latrobe Planning Scheme response to submission**

As per recent conversations and ongoing meetings regarding the above project, I wish to advise that my client Mr. Tony Di Fabrizio wishes to withdraw the amendment effective immediately.

Having undertaken a lengthy process to this point it is our clients opinion that the ongoing process, and the seemingly inevitable Panel Hearing, will result in a time consuming, expensive and uncertain process that was under anticipated by all stakeholders at the outset of this project. As such, with no guaranteed positive outcome in site for his land, our client does not wish to proceed beyond this point.

We understand his position and advise that his decision was not taken lightly and all options were carefully considered.

As discussed on many occasions, we extend our thanks to Council officers for their support in this process as we understand that nobody could have predicted that the project would have been anything more than an administrative process when it was originally prepared and lodged for Councils consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'NBA Anderson', with a stylized flourish at the end.

**Nick Anderson**  
Managing Director



**14.3 PROPOSED - COMMUNITY AMENITY LOCAL LAW NO. 2 2015**

**General Manager**

**City Development**

**For Decision**

**PURPOSE**

The purpose of this report is to seek the resolution of Council to give notice of its intention to make a new local law, "Community Amenity Local Law No. 2 2015", as outlined in the Local Law Community Impact Statement.

**EXECUTIVE SUMMARY**

This report seeks for council to resolve to give notice of its intention to make the Community Amenity Local Law No. 2 2015.

A Notice of Motion was raised by Council in June 2012 seeking advice on what changes needed to occur to Local Law No. 2 in order to address the ongoing issues of unsightly properties across the Latrobe City municipality.

In order to address the matter of unsightly properties an amendment was made to Local Law No. 2 2009 following the Ordinary Council meeting 11 June 2015. While this amendment addressed the matter of unsightly properties it failed to address a number of discrepancies and irregularities in the current local law.

The current local law has 4 years to go before being revoked by the mandatory sunset provision set out in the Local Government Act 1989. The decision to conduct the review prior to this time was in response to, new State Government Guidelines, new and amended State legislation, inconsistencies and duplications in many of the existing provisions and to promote greater community interest and ownership.

**MOTION****Moved:** Cr Gibson**Seconded:** Cr White**That Council resolves:**

1. To give notice of its intention to make the Community Amenity Local Law No. 2 2015 as outlined in the Local Law Community Impact Statement (att 2)
2. To publish notice to like effect in the Victorian Government Gazette
3. That a further report be presented to Council allowing the consideration of any submissions.

**For:** Councillors Rossiter, White, Sindt, O'Callaghan, Middlemiss, Gibbons and Gibson**Against:** Councillors Kam and Harriman**CARRIED****DECLARATION OF INTEREST**

No officer declared a conflict of 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 Objective – Our 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.

*Strategic Objective – 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.

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

*Theme 1: Job creation and economic sustainability*

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

*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 the ordinary Council meeting 04 June 2012, following the presentation of a Notice of Motion Council resolved as follows:

*That the CEO provides a report back to Council advising what changes need to occur to the relevant Local Laws to help Council address the issue of unsightly property by no later than the end of July 2012*

At the Ordinary Council meeting 16 July 2012 Council resolved as follows:

*That Council notes this report on what changes need to occur to the relevant Local Law to help Council address the issue of unsightly property.*

*That the mayor writes to the Municipal Association of Victoria (MAV) advocating for sector wide support in the establishment of effective enforcement options when dealing with unsightly properties and copies of this letter be sent to the Minister for Planning and the minister for Local Government and the relevant local members of parliament.*

*That a report advising whether there is any State and/or federal legislation pertaining to dangerous and unsightly property be brought back to open Council no later than the end of August 2012.*

At the Ordinary Council meeting 20 August 2012 a report was presented allowing Council to consider what State and Federal legislation was available to help address the issue of dangerous and unsightly property. At this meeting Council resolved as follows:

*That Council writes to the Minister for Local Government seeking:*

- *Advice on what legislative changes would be required to address unsightly property;*
- *Support for those legislative changes that would be required to address unsightly property*

This report also noted the intention to start the review of Local Law No. 2 and to use this as a mechanism to address the issue of the management of unsightly properties. This information was not included in the Officers recommendation, or in the alternate motion presented and endorsed by Council at this meeting.

As a result of a number of internal factors the review of Local Law No. 2 was significantly delayed. In addition research and legal advice provided to officers during the late stages of 2014 indicated that an alteration to the section of the local Law pertaining to unsightly properties was possible without a full review of the Local Law No. 2.

**ORDINARY COUNCIL MEETING MINUTES  
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Following the receipt of this advice and the preparation of an appropriate amendment a report was presented at the Ordinary Council meeting 23 March 2015 recommending that Council give notice of its intention to make an amendment to Local Law No. 2 to include a clause specifically related to dilapidated buildings.

At this meeting Council resolved to:

1. *To give notice of its intention to make the following amendment to Local Law No. 2:*

*In Part 9 of the Principal Local Law, immediately after clause 131 and before clause 132, insert:*

**131A DILAPIDATED BUILDINGS**

*Without limiting clause 130, and owner or occupier of land on which is located any building or other structure which is unoccupied, unfit for occupation or not ordinarily occupied:*

*131A.1 must not permit that building or structure to become dilapidated or further dilapidated;*

*131A.2 must take all reasonable steps to secure the building or structure from unauthorised access, including, if required, secure fencing, more adequate locks and any other security options that are, in all circumstances, reasonable to exercise;*

*131A.3 must take reasonable steps to prevent or remedy the land from being a haven for regular anti-social or unlawful behaviour by unauthorised persons;*

*131A.4 must maintain the building or structure in a state of good repair and appearance, including undertaking temporary repairs as required to ensure on-site safety and security and to avoid the appearance of neglect out of character with other land in the vicinity;*

*131A.5 must not allow any graffiti to remain on any building; and*

*131A.6 will commit a new offence under this Local Law for every month any breach of this clause continues unless effective works have been undertaken to remedy any breach.*

*Penalty: 20 Penalty Units*

2. *To consult with the community on the draft Local Law*
3. *To include a trial period of 6 months for implementation*
4. *To provide Public Notice of the draft Local Law in accordance with sections 119(2) and 223 of the Local Government Act 1989*
5. *To Publish notice to the like effect in the Victorian Government Gazette.*
6. *That a further report be presented to Council allowing consideration of any submissions in relation to the draft amendment at the ordinary Council meeting 04 May 2015*

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

Community Consultation was undertaken, and following the report Council made the following resolution at its Ordinary Council meeting 11 June 2015:

1. *To make the following amendment to Local law 2:*

*In Part 9 of the Principal Local Law, immediately after clause 131 and before clause 132, insert:*

### *131A DILAPIDATED BUILDINGS*

*Without limiting clause 130, and owner or occupier of land on which is located any building or other structure which is unoccupied, unfit for occupation or not ordinarily occupied:*

*131A.1 must not permit that building or structure to become dilapidated or further dilapidated;*

*131A.2 must take all reasonable steps to secure the building or structure from unauthorised access, including, if required, secure fencing, more adequate locks and any other security options that are, in all circumstances, reasonable to exercise;*

*131A.3 must take reasonable steps to prevent or remedy the land from being a haven for regular anti-social or unlawful behaviour by unauthorised persons;*

*131A.4 must maintain the building or structure in a state of good repair and appearance, including undertaking temporary repairs as required to ensure on-site safety and security and to avoid the appearance of neglect out of character with other land in the vicinity;*

*131A.5 must not allow any graffiti to remain on any building; and*

*131A.6 will commit a new offence under this Local Law for every month any breach of this clause continues unless effective works have been undertaken to remedy any breach.*

*Penalty: 20 Penalty Units*

2. *To provide Public Notice of the draft Local Law in accordance with sections 119(2) and 223 of the Local Government Act 1989*
3. *To publish notice to the like effect in the Victorian Government Gazette.*
4. *To include a trial period of 6 months for implementation*
5. *To notify the submitters of the decision and reasons for this in accordance with section 223 of the Local Government Act 1989*

It was noted that a lot of information had been gathered during consultation that remained relevant to the local law but had not been addressed through the June 2015 local law amendment. Feedback from community and Councillors provided a clear indication that the entire local law required review, sooner than would be required by legislation.

**KEY POINTS/ISSUES**

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

As part of this review many clauses of Local Law No. 2 have been amended or deleted to reduce ambiguity, remove duplications or inconsistency's with legislation or the planning scheme, address contemporary issues and improve the readability of the document.

Key changes include;

Clause 88 – Storage of caravans and trailers on roads.

Clause 94 - Recreation vehicles and vehicle tracks on private property.

Clause 96 - Dilapidated buildings.

Clause 98 & 99 – Waterway behaviour.

Clause 112.2- Keeping of dog and cat permits issued for life of the animal.

Clause 113 - Increase in number of dogs (3 to 4) that can be kept on farming land without a permit.

Clauses and standards combined to provide an easy to read format.

New penalties – constant with legislative requirements and appropriate to provision.

Full details of changes are outlined in the Local Law Community Impact Statement (refer to attachment 2).

**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***Financial:*

The cost associated with the review Local Law No. 2 has been considered as part of the approved budget.

*Resources:*

It is anticipated that this project will be managed effectively within current resource allocation.

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

Mach 2 Consulting was engaged by Council to assist the review of Local Law No 2 (2009) by facilitating a consultation process designed to engage the community in the development of regulatory measures.

A key objective of the consultation process was to ensure that the community was provided with an opportunity to contribute to the development of regulatory measures for Latrobe City. Focusing on this objective, a focus group discussion process was undertaken to provide an opportunity for the community and key stakeholders to express their thoughts on key issues relating to the development of Council's Local Laws.

### **The Focus Group Process**

On 3 October 2013 two discussion groups were implemented engaging directly some 14 community members representing a range of community groups. A morning discussion held at Moe attracted four participants and an evening discussion at Morwell engaged 10 participants.

Throughout the discussion process participants were asked a series of questions relating to a number of key issues and challenges for Latrobe City around the review and development of Local Law No. 2. To encourage an informed discussion, participants were provided with background information relating to the issues and the proposed local law.

### **Project Assurance Group**

Internal consultation was conducted through the establishment of a Project Assurance Group; this group was made up of staff member from across the organisation that had expertise or an interest in key areas of the local law. The Project assurance group met regularly and provided valuable feedback and detailed information in regards to the review.

### **Councillor Briefings**

- Councillor Briefing – 15 November 2013
- Councillor Briefing - 28 September 2015

### **OPTIONS**

There are three options available to Council:

1. To release the Community Amenity Local Law No. 2 2015 for community consultation.
2. Amend and release the Community Amenity Local Law No. 2 2015 for community consultation.
3. Not release the Community Amenity Local Law No. 2 2015 for community consultation.

### **CONCLUSION**

The review Local Law No. 2 has been completed in accordance with the Sections 119 and 223 of the Local Government Act 1989 and Guidelines for Local Laws Manual.

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)**

It is now timely to consider releasing the Community Amenity Local Law No. 2 2015 for community consultation.

**SUPPORTING DOCUMENTS**

Local Law Community Impact Statement.

Victorian Government - Guidelines for Local Laws Manual.

Benchmarking with other Councils

Summary of Outcomes Focus Group Discussions 3 October 2013, Mach 2 Consulting

Summary of Outcomes Councillor Workshop 15 November 2013, Mach 2 Consulting

**Attachments**

1. Local Law No. 2 2015
2. Local Law Community Impact Statement



## **14.3**

### **Proposed - Community Amenity Local Law No. 2 2015**

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# LATROBE CITY COUNCIL

## COMMUNITY AMENITY LOCAL LAW NO. 2 2015

*Adopted - TBA*

For enquiries please contact  
Coordinator Local Laws  
Ph. 1300 367 700



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## **PART 1 PRELIMINARY PROVISIONS**

### **1. TITLE**

This Local Law is Latrobe City Council's Local Law No. 2 and referred to below as "this Local Law".

### **2. PURPOSES OF THIS LOCAL LAW**

The purposes of this Local Law are to:

- (a) provide for the peace, order and good government of the municipal district;
- (b) prohibit, regulate and control activities, events, practices or behaviour in public places so that no detriment is caused to the amenity of the neighbourhood, nor nuisance to a Person nor detrimental effect to a Person's property;
- (c) protect the Council's assets and land and to regulate their use;
- (d) promote a physical and social environment free from hazards to health in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community;
- (e) provide for those matters which require a Local Law under the Act and any other Act; and
- (f) provide for the administration of Council powers and functions.

### **3. THE POWER TO MAKE THIS LOCAL LAW**

The Council's power to make this Local Law is contained in section 111 (1) of the Local Government Act 1989.

### **4. COMMENCEMENT DATE OF THIS LOCAL LAW**

This Local Law commences on the day following the Local Law being gazetted in the Victoria Government Gazette.

### **5. REVOCATION DATE OF THIS LOCAL LAW**

Unless sooner revoked, this Local Law ceases to operate 10 years after the date on which it is made.



**6. REVOCATION OF OTHER LOCAL LAWS**

Upon this Local Law commencing, the application of the former Local Law No 2 will cease.

**7. SCOPE OF THIS LOCAL LAW**

This Local Law applies to the whole of the Municipal District, except where it is apparent from its wording that a clause or schedule applies to specific area or areas. Its provisions apply to the extent that they are not inconsistent with any Act, Regulation or Planning Scheme applicable to the Council or to its Municipal District.

**8. HOW TO READ THIS LOCAL LAW**

**8.1 INTERPRETATION OF THIS LOCAL LAW**

In this Local Law, unless the contrary intention appears:

- (a) a reference to a clause is a reference to a clause in this Local Law; and
- (b) a reference to a sub-clause is a reference to a sub-clause of the clause in which the reference is made; and
- (c) a reference to a paragraph is a reference to a paragraph of the sub-clause in which the reference is made; and
- (d) a reference to a Schedule or Part is a reference to a Schedule or Part of this Local Law; and
- (e) a reference to one gender includes a reference to each other gender; and
- (f) a reference to the singular is also a reference to the plural.

**8.2 LOCAL LAW PROVISIONS AND EXERCISING DISCRETIONS**

Parts 1 to 19 inclusive set out the provisions for meeting the objectives of this Local Law and the criteria to which the Council and its staff must have regard in exercising discretions under this Local Law.

**9. WORDS USED IN THIS LOCAL LAW**

**WORDS MEANING OR EXTENDED MEANING**

**Act:** Means the Local Government Act 1989.

a) **adult dog or cat:** Means an animal over the age of 3 months.

**advertising sign:** Means any temporary placard, notice board, sign, structure, banner, “A” frame or other similar device, whether portable or affixed to any structure, which is used for the purposes of:

- (a) soliciting sales;
- (b) notifying people of the presence of an adjacent property

- where goods or services may be obtained; or
- (c) advertising or promoting goods, services, an event, pastime or competition.
- alcoholic beverage:** Means a beverage intended for human consumption with an alcoholic content greater than 0.5 per centum by volume at a temperature of 20° Celsius.
- applicant:** Means a person who applies for a permit under this Local Law.
- appropriate fee:** Means the appropriate fee determined by the Council in accordance with this Local Law.
- arterial road:** Means a road declared to be an arterial road under section 14 of the Road Management Act 2004.
- authorised officer:** Means an Authorised Officer appointed under Section 224 of the Act.
- authorised sign:** Means a sign that is placed either temporarily or fixed permanently by the Council or the Council's contractor.
- barbecue:** Means a device for cooking food outdoors constructed predominantly of metal or other non flammable material, and whether powered by gas, electricity, liquid or solid fuel or any combination of them, and includes a device for spit roasting when used outdoors.
- built-up area:** Has the same meaning as in the Road Safety Road Rules 2009.
- bulk rubbish container:** Means a bin, container or other structure designed or used for holding a substantial quantity of rubbish and refuse which is unlikely to be lifted without mechanical assistance but excludes containers used in connection with the Council's regular domestic rubbish collections.
- busk:** Means playing a musical instrument and/or singing, conjuring, juggling, miming, mimicking, dancing, puppetry, performance art, recitation and other appropriate theatrical and visual forms,

being activities which attract or attempt to attract a donation rather than a prescribed fee.

**camp:** Means the occupation or use of a tent, makeshift structure, caravan, campervan, mobile home or any other vehicle (including under the vehicle) for sleeping all or part of a night, or as a temporary accommodation. This does not include brief 'power napping' in a vehicle on a roadway.

**Camping Area:** Means land which has been declared by the Council to be a 'camping area' for the purposes of this Local Law or land which has been registered with the Council as a caravan park pursuant to the Residential Tenancies Act 1997.

**caravan:** Means any moveable dwelling (whether or not the wheels or axles thereof have been removed and whether it is resting directly on the ground or is placed on blocks or other supports) and any structure annexed to the moveable dwelling.

**cattle:** Includes any bull, cow, ox, steer, heifer or calf.

#### **Central Business**

**District:** Means the Central Business District of the Council as shown in the plans in Schedule 3.

**CFA** Means the Country Fire Authority.

#### **Chief Executive**

**Officer:** Means the Chief Executive Officer appointed by the Council from time to time and includes a person for the time being acting in that position.

**Council:** Means Latrobe City Council.

#### **Council and**

**Community Assets:** Means furniture, fittings, assets, equipment, or other structures of any kind, tree reserves, gardens, garden plots, lawns, plantations, trees, shrubs, statues, monuments, fountains, seats, posts, fences and paths in or upon any public place in the Municipal District and includes Council Land.

<b>Community Events/ Occasional Events:</b>	Means events on Council Land delivering a range of community benefits (including bringing communities together, providing volunteer, participation and entertainment opportunities and building community capacity) or that improve the liveability and image of Latrobe City. Such events include a wedding, fair, fireworks or carnival, food fair, wine or produce festival or market, or any other horticultural, social educational, cultural, recreational, political, religious or commercial occasion, celebration, rally, demonstrations and any other public gathering.
<b>Community Market</b>  Craft run by	Means Markets held on Council Land delivering a range of community benefits (including bringing communities together, providing volunteer, participation and entertainment opportunities and building community capacity) or that improve the liveability and image of Latrobe City. Community Markets include Markets, Farmers Markets and local produce markets and community groups (not including commercial ventures).
<b>Council Land:</b>	Means all land owned, leased, managed or occupied by the Council or in respect of which the Council has a duty to maintain and includes a street, road and footpath and any improvements buildings and other structures permanently affixed to the land and any estate, interest, easement, servitude or right in or upon land.
<b>domestic bird:</b>	Means small bird.
<b>dwelling:</b>	Means a building used or intended to be used as a separate residence which requires a building permit under the Building Regulations 1994.
<b>Dilapidated Building:</b>	an unoccupied building that is in a state of disrepair or ruin.
<b>Designated Boat Ramp:</b>	Means a boat ramp which has been declared as such by Council resolution and which has been sign posted as a designated boat ramp and parking area.

<b>Emergency Service:</b>	Means Ambulance Service, State Emergency Service or Fire Brigade when carrying out emergency duties.
<b>Environmental Health Officers:</b>	Means Environmental Health Officers appointed by the Council from time to time.
<b>Event:</b>	Means an organised gathering of people involved in sporting, special interest, cultural and community, celebratory or commemorative/remembrance activities.
<b>Farming Area:</b>	Means land used for Primary Production and zoned as farm land in the Planning Scheme applicable to the Municipal District or any other land which has been declared by the Council to be a “farming area” for the purposes of this Local Law.
<b>footpath:</b>	Means any path or footway that is provided for the use of pedestrians only or that is regularly used by pedestrians and not vehicles, or that is a segregated footway or a shared path.
<b>free flying pigeon:</b>	Means a pigeon kept and permitted to fly free from a loft for any amount of time.
<b>incinerator:</b>	Means a structure, device or contraption (not enclosed in a building) which: (a) is used or intended, adapted or designed to be used or capable of being used for the purpose of burning any matter, material or substance; and (b) is not licensed or otherwise subject to control under the of the Act; and (c) is not a barbecue.
<b>Infringement Penalty:</b>	Means the amount of the Penalty Units which must be fixed in any infringement notice.
<b>Landfill:</b>	Means a landfill established by the Council for receiving waste or refuse.
<b>livestock:</b>	Has the same meaning as in Impounding of Livestock Act 1994

<b>Major Events:</b>	Means on-going regular and one-off major events on Council Land achieving positive economic and community outcomes and enhance the image of Latrobe City.
<b>motor vehicle:</b>	Has the same meaning as in the Road Safety Act 1986.
<b>multi unit development:</b>	Means any development containing more than one dwelling on an allotment in an Urban Area.
<b>Municipal District:</b>	Means the Municipal District of the Council.
<b>Municipal Place:</b>	Means: (a) any road, footpath or shopping mall; and (b) a public place which is owned or occupied by or vested in the Council to which the public has access (whether an admittance fee is required or not).
<b>Municipal Property:</b>	Includes any buildings or parts of buildings used for municipal purposes.
<b>noxious weed:</b>	Means any plant declared to be a state prohibited weed or a weed, which is prohibited, controlled or restricted for an area which includes the Municipal District, under the Catchment and Land Protection Act 1994.
<b>nuisance:</b>	Means any condition which is liable to be noxious, dangerous or injurious to health, and includes any noise created by an animal or any other thing which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.
<b>outdoor eating facility:</b>	Means any table, chair, umbrella or other removable items located out of doors at which food or drink is served and/or consumed.
<b>park:</b>	Has the same meaning as in the Road Safety Road Rules 2009.
<b>parking area:</b>	Has the same meaning as in the Road Safety Road Rules Victoria 2009.

<b>Penalty Unit:</b>	Has the same meaning as in section 110 of the Sentencing Act 1991.
<b>permit:</b>	Means a permit issued by the Council under this Local Law.
<b>permit holder:</b>	Means a person to whom a permit has been issued under this Local Law.
<b>person:</b>	Includes a partnership, unincorporated body, a corporation, or an association incorporated under the Associations Incorporation Reform Act 2012.
<b>Planning Scheme:</b>	Means the Planning Scheme relevant to the Municipal District.
<b>premises:</b>	Includes land, buildings and a building under construction.
<b>private land:</b>	Means land that is not Council Land, a road or a public place.
<b>procession:</b>	Means an organised group of people proceeding along a road or gathering for a ceremony or function and includes fun runs and bicycle events.
<b>property:</b>	Means any ground, soil or earth whatsoever, whether dry or underwater, including all buildings on the land, and also everything attached to the land whether above or under the surface.
<b>public place:</b>	Has the same meaning as in the Summary Offences Act 1966.
<b>Public Reserves and Recreation Grounds:</b>	Means and includes any commons or public reserve of which the management is vested in the Council, and any land purchased or rented or otherwise provided by, granted or given to or vested in the Council for the provision of pleasure grounds or places of public resort or public recreation and any tree reserve, garden, garden plot, lawn or ornamental plantation in or upon any street or road within the Municipal District

- Recreation Centre:** Means a place provided for the purpose of public fitness, resort and recreation.
- recreational vehicle:** Means a motor vehicle that is used or intended to be used in a public place or private land and includes a trail bike, mini bike, motor scooter, motor driven go-cart, monkey bike and any other vehicle propelled by a motor which is used for recreational or sporting purposes but does not include a motorised vehicle used for farming purposes.
- Regulations:** Means Regulations made under the Act.
- reservation:** Means a physical provision on a road which divides it longitudinally (other than a longitudinal line or a series of lines marked on a carriageway) and includes a nature strip adjoining a footway or property line.
- Residential Area:** Means an area zoned residential in the Planning Scheme which includes Neighbourhood Residential, General Residential, Residential Growth and Low Density Residential zones.
- Rural Land:** Means land zoned as rural land which Includes Farming Zone, Rural Living Zone, Rural Conservation Zone, and any other zone in the suite of rural zones in the Latrobe Planning Scheme
- sell:** Includes dispose of for consideration (whether by wholesale or retail or by means of any machine or mechanical device), barter or exchange, agree to sell, offer or expose for sale, keep or have in possession for sale, send, forward, deliver or receive for or on-sale, and attempt, direct, cause, suffer and admit any such act or thing.
- Senior Officer:** Has the same meaning as in the Act.
- Service Authority:** Means an entity (whether public or privately owned) which provides or intends to provide, water, sewage, drainage, gas, electricity, telephone, telecommunications, or like services under the authority of an Act of Victoria or the Commonwealth.



<b>shopping trolley:</b>	Means a wheeled container or receptacle supplied by a retailer for the specific purpose of enabling customers to transport goods.
<b>Special Event:</b>	Means an irregular, one-off major national or international event on Council Land that has the ability to attract significant interstate and international visitation and provide positive branding of Latrobe City outside the region.
<b>Street Festival:</b>	Means an organised recreational, cultural, commercial or social gathering of people which is held on a road.
<b>Street furniture:</b>	Means any sign, notice, structure, or fixture which is owned, erected, or maintained by the Council and which is located on, or adjacent to a road.
<b>Street Party:</b>	Means an organised social gathering of people resident in one or several adjacent roads that is held on a road.
<b>Street Stall:</b>	Means a table, structure, furniture, sign or fixture erected for the temporary display of goods, whether or not for sale.
<b>temporary dwelling:</b>	Means a building or caravan used for residential purposes prior to and during construction of a dwelling.
<b>toy vehicle:</b>	Means a vehicle (other than a bicycle) ordinarily used by a child at play and designed to be propelled by human power, and includes a scooter, skateboard, roller skates, roller blades and similar toys.
<b>traffic:</b>	Means the movement of people by foot or in or on vehicles, along, across or within a road, road related area or footpath.
<b>Transfer/Landfill Station Attendant:</b>	Means the Transfer Station Landfill Attendant as appointed by the Council from time to time.
<b>Urban Area:</b>	Means any area set aside or used for urban development whether or not supplied with street lighting or a garbage collection service.

- vacant land:** Means a property on which there is no house or other structure approved for human habitation.
- vehicle:** Has the same meaning as in the Road Safety Act 1986.
- vehicle crossing:** Means a constructed area that provides for the passage of vehicles from a carriageway to private property and includes the kerb, channel, nature strip and footpath.
- wheeled recreational device:** Means a wheeled device, built to transport a person propelled by human power or gravity, and ordinarily used for recreation or play and –
- (a) includes rollerblades, roller skates, a skateboard and a similar wheeled device; but
  - (b) does not include a golf buggy, pram, stroller or trolley, or bicycle, wheelchair or wheeled toy.
- wheeled toy:** Means a child’s pedal car, scooter or tricycle or a similar toy, but only when it is being used only by a child who is under 12 years old.

## **PART 2 ADMINISTRATION OF THIS LOCAL LAW**

### **10. EXERCISE OF DISCRETIONS**

- 10.1 In exercising any discretion contained in this Local Law the Council must have regard to:
- (a) the purposes of this Local Law; and
  - (b) any applicable Council Policy; and
  - (c) any other relevant matter.
- 10.2
- (a) The Council may from time to time prepare guidelines for use by the Council, authorised officers and other persons for the purposes of this Local Law.
  - (b) Guidelines prepared by the Council must not be inconsistent with the purposes of this Local Law.
  - (c) Any guidelines prepared cannot change or update a Local Law provision without the Local Law being amended and the guideline being incorporated by reference.

### **11. POWER TO OBTAIN NECESSARY INFORMATION LGA224**

The Council or an authorised officer may require additional information to enable an application for a permit to be properly considered and for the purposes of administering and enforcing the provisions of this Local Law.

### **12. IMPOUNDMENT, RELEASE AND DISPOSAL OF ITEMS**

- 12.1 If an authorised officer has impounded an item or other thing in accordance with this Local Law, the Council may refuse to release it until the appropriate fee or charge for its release has been paid to the Council.
- 12.2 Any impounded item must be returned to the owner after:
- (a) payment of any fees, as determined from time to time by the Council, have been paid in full; and
  - (b) evidence of ownership is provided to the satisfaction of the Council or an authorised officer.
- 12.3 As soon as practicable after the impoundment of any item an authorised officer must, if the identity of the person who owns the item can be determined, serve a Notice of Impounding on that person.
- 12.4 Any impounded item may be disposed of by an authorised officer if it is not claimed by the owner within the time specified on the Notice of Impounding or within 14 days of

the impounding in a case where the owner cannot be ascertained.

The procedure for the disposal of impounded items is as follows:

- (a) Where the item is declared by a Senior Officer or another member of the Council's staff authorised for the purpose to have no saleable value, it may be disposed of in the most economical way, as determined by the Council; and
- (b) Where the item is declared to have some saleable value the item may be disposed of by tender, public auction or private sale, but failing sale may be given away or disposed of at the discretion of the Senior Officer or other member of the Council's staff.

12.5 When the identity or whereabouts of the owner or person responsible for the impounded item is unknown, the authorised officer must take reasonable steps to ascertain the identity or whereabouts of that person and may proceed to dispose of the impounded item once he or she is satisfied that all reasonable efforts have been made to contact the owner or person responsible for the impounded item.

12.6 Any proceeds from the disposal of impounded items under this Part must be paid to the owner or the person who in the opinion of Council appears to be authorised to receive the money except for the reasonable costs incurred by the Council in the administration of this Part.

12.7 In the event that the person described in sub-clause 12.6 cannot be identified or located within six (6) months of the date of the impounding any proceeds may be retained for municipal purposes.

### **13. APPEALS**

Any person who is aggrieved by any matter under this Local Law may make a written submission for consideration by the Council, but the making of any submission will not in any way remove that person's obligation to act in accordance with this Local Law and any directions or notices which are applicable under this Local Law.

## **PART 3 NOTICE TO COMPLY**

### **14. POWER OF AUTHORISED OFFICERS TO DIRECT LGA224**

An authorised officer may issue a person with a *Notice to Comply* if the authorised officer believes on reasonable grounds that the person has committed an offence under this Local Law or direct any property owner, occupier or other relevant person to remedy any situation which constitutes a breach under this Local Law.

A *Notice to Comply* issued under this clause must set out the following details—

- (a) the offence that the authorised officer believes has been committed; and
- (b) the action that the person is required to undertake; and
- (c) the time within which the specified action must be taken.

### **15. REASONABLE TIME TO COMPLY**

The time fixed by a *Notice to Comply* served under this Local Law must be reasonable in the circumstances and what will be reasonable will vary depending on the matters to be remedied, but should take into account if applicable:

- (a) the amount of work involved; and
- (b) the degree of difficulty; and
- (c) the availability of necessary materials or other necessary items; and
- (d) climatic conditions; and
- (e) the degree of risk or potential risk; and
- (f) any other relevant factor.

### **16. FAILURE TO ADHERE TO A NOTICE TO COMPLY**

16.1 Any person who fails to remedy a situation in accordance with a *Notice to Comply* served under this Local Law is guilty of an offence.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

16.2 If a person fails to carry out any work which he or she is required to do by a *Notice to Comply* issued under this Local Law within the time stated in the *Notice*, the Council in its discretion and wherever practicable may cause the work to be carried out and may recover the cost from that person.

**LGA225**

## 17. POWER OF AUTHORISED OFFICERS TO ACT IN URGENT CIRCUMSTANCES

17.1 An authorised officer may, where a person has failed to comply with this Local Law, take action to remove, remedy or rectify a situation without serving a Notice to Comply provided:

- (a) he or she considers the circumstances or situation to be sufficiently urgent and that the time involved or difficulties associated with the serving of a Notice may place a person, animal, property or thing at risk or in danger; and
- (b) wherever practicable, a Senior Officer is given prior notice of the proposed action; and
- (c) details of the circumstances and remedying action are forwarded as soon as practicable to the person on whose behalf the action was taken; and
- (d) as soon as practicable a report is submitted to the Chief Executive Officer.

17.2 The action taken by an authorised officer under sub-clause 17.1 must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved.

17.3 What is regarded as an urgent circumstance will depend on the circumstances of each situation. Factors to be taken into consideration may include:

- (1) Where:
  - (a) The person by whose default, permission or sufferance the situation has arisen; or
  - (b) the owner or the occupier of the premises or property affected is not known or cannot be found.
- (2) Where, in the opinion of an authorised officer, there exists an urgent risk or threat to:
  - (a) public health; or
  - (b) public safety; or
  - (c) the environment; or
  - (d) animal welfare.

## **PART 4 PERMITS**

### **18. PERMITS**

- 18.1 The Council or an authorised officer in its, his or her absolute discretion may issue a permit under this Local Law with or without conditions, including the payment of any fee the Council may require or may refuse to issue a permit or refer an application to internal review.
- 18.2 The Council or an authorised officer may prescribe:
- (a) the manner and form in which applications for permits under this Local Law should be made;
  - (b) the manner in which any permit under this Local Law should be issued; and
  - (c) the fee for any such permit application.
- 18.3 The Council or an authorised officer may waive payment of any fee for a permit.
- 18.4 The Council or an authorised officer may require the applicant to give notice of the application, including public notice of the application.
- 18.5 If the Council or an authorised officer requires an applicant to give public notice of the application and that public notice is given, any person has the right to make a submission and be heard in support of their submission as if section 223 of the Act applies.
- 18.6 The Council or an authorised officer may require an applicant to provide the Council with more information before the Council or authorised officer deals with the permit application.
- 18.7 Applicants under the age of 18 years require permission from a parent or guardian and must be accompanied by a person 18 years or over.
- 18.8 A permit expires on the date specified in the permit or if no such date is specified the permit will expire 1 year after the date of issue.
- 18.9 A permit under this Local Law may be issued subject to conditions which may include:

- (a) the payment of a fee or charge; and
- (b) the application of any policy of the Council; and
- (c) a time limit to be applied either specifying the duration, commencement or completion date; and
- (d) the permit being subject to the happening of an event; and
- (e) the rectification, remedying or restoration of a situation or circumstance; and
- (f) where the applicant is not the owner of the subject property, the consent of the owner; and
- (g) the granting of some other permit which may be required by the Council, whether under this Local Law or otherwise.

18.10 The Council must maintain a register of permits granted, including details of cancellation or corrections made to any permit or any exemption from a requirement to obtain a permit or conditions applied to that exemption.

## **19. CONSIDERING APPLICATIONS**

19.1 In considering an application for a permit the Council or an authorised officer may consider:

- (a) any policy adopted or guidelines proposed by the Council relating to the subject matter of the application;
- (b) any submission that may be received in respect of the application; and
- (c) any comments that may be made in respect of the application by any public authority, Government department, community organisation or other body or person; and
- (d) any other relevant matters.

19.2 A person who has applied for a permit may appeal in writing to the Council's Appeals Panel against the decision of an authorised officer to refuse to grant a permit within 21 days of being notified of the decision.

## **20. CORRECTION OF PERMIT**

20.1 The Council or an authorised officer may correct or amend a permit issued if the permit contains:

- (a) a clerical mistake or an error arising from any accident, slip or omission; or



- (b) an evident and material miscalculation of figures or any evident and material;  
or
- (c) a mistake in the description of any person, thing or property referred to in the permit.
- (d) a need for special consideration relevant to the purpose of the Permit.

20.2 The Council or the authorised officer must note the correction in the register of permits.

20.3 The Council or the authorised officer must give notice of the correction to the holder of the permit.

## **21. GROUNDS FOR CANCELLATION OR AMENDMENT OF PERMITS**

21.1 The Council or an authorised officer may cancel or amend any permit if he or she considers that there has been:

- (a) a material misstatement, false representation or concealment of facts in relation to the application for a permit; or
- (b) any material mistake in relation to the use of the permit; or
- (c) any material change of circumstances which has occurred since the issue of the permit; or
- (d) a failure to comply with the conditions of the permit; or
- (e) a failure to comply with a Notice to Comply within the time specified in the Notice to Comply.

21.2 The Council or the authorised officer must notify the holder of a permit of the Council's or authorised officer's intention to amend or cancel the permit and give the holder of that permit an opportunity to make a written submission before the permit is amended or cancelled.

21.3 If the Council or the authorised officer, after considering any written submission made by the permit holder, determines to cancel or amend the permit, the Council or authorised officer must note that cancellation or amendment in the register of permits.

## **22. EXEMPTIONS**

22.1 A person may request the Council to, and the Council may by written notice, exempt any person or class of persons from the requirement to have a permit, either generally

or at specified times.

22.2 In determining whether to grant an exemption to the requirement to obtain a permit, an authorised officer must, as the delegate of the Council, have regard to:

- (a) the circumstances of the application; and
- (b) whether the application is to raise funds for community or charitable purposes; and
- (c) whether the proposed activity or use will have an overall community benefit; and
- (d) whether the proposed activity or use could have a detrimental effect on adjoining properties; and
- (e) whether the applicant will be given an unfair advantage over any other person or organisation; and
- (f) any other matters relevant to the circumstances of the application.

22.3 An exemption may be granted subject to conditions.

22.4 A person to whom an exemption is granted but who does not comply with the conditions of the exemption is guilty of an offence.

**Penalty: 20 Penalty Units**

**Infringement Penalty: 3 Penalty Units.**

22.5 An exemption may be cancelled or corrected as if it were a permit.

## **23. FALSE REPRESENTATIONS**

A person who makes a false representation or declaration (whether oral or in writing), or who intentionally omits relevant information in an application for a permit or exemption, is guilty of an offence.

**Penalty: 20 Penalty Units**

**Infringement Penalty: 5 Penalty Units.**

## **24. SERVICE AUTHORITY OR COUNCIL**

24.1 This Local Law does not apply to a service authority or Council, or a person employed by or working on behalf of, a Service Authority or Council in respect of works for that Service Authority or Council.

24.2 A person who would, but for this clause, be required to obtain a permit in respect of any activity must notify the Council of the activity prior to its commencement.

## **PART 5 FEES, CHARGES AND COSTS**

### **25. SETTING FEES AND CHARGES**

**LGA113**

25.1 The Council may from time to time by resolution determine the fees and charges to apply under this Local Law, which may include an administrative or processing fee or charge and the Council must give public notice of its resolutions determining or altering those fees and charges.

25.2 Where a permit is issued part way through the financial year and is to operate for the balance of that financial year, the Council may vary the normal annual fee or charge by applying a fee or charge which is proportionate to the period for which the permit will apply corrected to the next higher quarter of that year.

### **26. DIFFERENTIAL OR STRUCTURED FEES AND CHARGES**

In determining any fees and charges the Council may establish a system or structure of fees and charges, including a minimum or maximum fee or charge, if it considers it is appropriate to do so.

### **27. WAIVER OR ALTERATION TO FEES AND CHARGES**

**LGA113**

The Council may waive, reduce or alter any fee or charge with or without conditions.

## **PART 6 OPERATIVE PROVISIONS**

### **DIVISION 1 - OBSTRUCTIONS TO THE FREE PASSAGE OF PEOPLE AND VEHICLES**

#### **28. TREES AND PLANTS NOT TO OBSTRUCT OR OBSCURE**

28.1 An owner or occupier of land must not allow any vegetation growing on the land to obstruct pedestrians by encroaching onto or above:

- (a) a footpath; or
- (b) another part of the road used by pedestrians ("road related area"); or
- (c) a reserve owned or occupied by the Council

to or at a height of less than three (3) metres above the surface of the footpath, road related area or reserve.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

28.2 An owner or occupier of land must not allow any tree or plant in or growing on land to obstruct or interfere with the passage of traffic by:

- (a) extending over any part of the road in such a way that it:
  - (i) obstructs the view between vehicles at an intersection; or
  - (ii) obstructs the view between vehicles and pedestrians where they come close to each other; or
  - (iii) obscures a traffic control item from an approaching vehicle or pedestrian; or

- (iv) obscures street lighting; or
- (b) otherwise constituting a danger to vehicles or pedestrians or compromising the safe and convenient use of the road.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **28.3 REQUIREMENTS FOR A CLEAR VIEW AT INTERSECTIONS**

Without limiting sub-clause 28.2, the owner or occupier of land must ensure that any tree, shrub or hedge growing on that land and located within 5 metres of an intersection is maintained to a height of not more than 1 metre, except trees with narrow clean trunks with foliage no lower than 2 metres above the ground. This is determined by a triangular area within the property, made up by a line drawn between points 5 metres back from the intersection on each road.

## **29. FENCES, SIGNS, POSTS, AND OTHER OBJECTS**

29.1 An owner or occupier of land must not place or allow to be placed a sign, post or other object on the land in such a position that it causes an obstruction to pedestrians by encroaching onto or above:

- (a) a footpath; or
- (b) another part of the road used by pedestrians; or
- (c) a reserve owned or occupied by the Council.

29.2 An owner or occupier of land must not allow or place any fence or part thereof to cause an obstruction to pedestrians or vehicles by encroaching onto a:

- (a) road
- (b) footpath; or
- (c) reserve owned or occupied by the Council.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

## **DIVISION 2 – ROAD NAMES AND PROPERTY NUMBERS**

### **30. COUNCIL TO APPROVE ROAD NAMES**

30.1 A person must not apply a name to a road without the consent of the Council.

30.2 A person must not destroy, pull down, obliterate or deface a sign containing the name of any road.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

30.3 Sub-clause 30.1 does not apply to any freeway or to any supplementary name applied to the entire length of a declared road by Vic Roads.

### **31. PROPERTY NUMBERS TO BE DISPLAYED**

31.1 For each property that has been allotted a property number, the owner or occupier of the property must mark the property with the number allotted, which number must be of sufficient size, in such a position, made of such material and kept in such state of repair to be clearly read from the road abutting the property.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

#### **31.2 SUFFICIENCY OF SIZE LOCATION AND VISIBILITY OF PROPERTY NUMBERS**

The legibility of the property number is to be assessed from the footpath, naturestrip or road edge immediately adjacent to the front boundary of the property. In determining whether a property number meets the requirements of sub-clause 31.1, the following must be taken into account:

- (a) the size of the property number, a minimum of 100mm for residential properties and 200mm for commercial properties; and
- (b) the accuracy and completeness of the property number; and
- (c) the state of repair of the property number having regard to its visibility; and
- (d) the colour of the property number; and
- (e) distinction from its backgrounds; and
- (f) freedom from obstruction.

#### **31.3 COUNCIL MAY ALLOCATE A PROPERTY NUMBER**

The Council may, where the owner or occupier of a property does not mark the property with the number allotted, cause the property to be numbered and recover the cost of doing so from the owner or occupier as a debt due to the Council.

### **32. INCORRECTLY DISPLAYING PROPERTY NUMBERS**

A person must not paint, affix or set up any name or number to any premises contrary to the provisions of this Local Law.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

## **DIVISION 3 - VEHICLE CROSSINGS**

### **33. A VEHICLE CROSSING IS REQUIRED**

33.1 An owner of land must ensure that each point of vehicular access from a carriageway on a road to the land has a properly constructed vehicle crossing.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

33.2 For the purposes of sub-clause 33.1 a vehicle crossing is properly constructed if:

- (a) it was constructed by or in accordance with the terms of an approval by the Council; or
- (b) the Council has approved in writing the method of construction of the particular vehicle crossing.

### **34. A PERMIT IS REQUIRED**

A person must not, without a permit, construct, install, remove or alter a vehicle crossing, whether temporarily or permanently.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **35. REDUNDANT VEHICLE CROSSINGS**

35.1 Where works on a property involve the relocation or closure of a point of vehicular access, the owner or occupier of the land must ensure that any redundant part of a vehicle crossing is removed and the kerb, drain, footpaths, nature strip or other part of the road is reinstated to the satisfaction of the Council.

35.2 The Council may require the owner or occupier of a property to remove any part of or all of a vehicle crossing for which there is no effective point of vehicle access and to reinstate the road.

35.3 The owner or occupier of the property must comply with any such requirement.

### **36. VEHICLE CROSSINGS IN DISREPAIR**

36.1 Where the Council or an authorised officer is of the opinion that a vehicle crossing is in a state of disrepair or otherwise in an unsatisfactory condition, the Council or authorised officer may require the owner or occupier of a property to carry out works to reinstate the vehicle crossing.

## **DIVISION 4 – LIVESTOCK ON ROADS**

### **37. DRIVING AND CROSSING OF LIVESTOCK ON ROADS**

An owner or person in charge of livestock must not drive livestock along a road or allow livestock to cross a road without a permit.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

### **38. GRAZING OF LIVESTOCK ON ROADS**

An owner or person in charge of livestock must not allow or cause any livestock to graze on a road without a permit.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

### **39. EXEMPT AREAS - PLACES WHERE THE DRIVING OR GRAZING OF LIVESTOCK IS NOT PERMITTED**

39.1 The driving of livestock is not permitted to take place in the following places:

- (a) any section of road which is, at the time of driving the livestock, under construction or reconstruction; or
- (b) any footpath; or
- (c) any road identified by the Council to have roadside reservations of conservation or other environmental significance.

39.2 The Council may resolve that additional roads or areas are not to be made available for the driving or grazing of livestock.

### **40. LIVESTOCK GRAZING, DRIVING AND CROSSING PERMIT CONDITIONS**

42.1 A permit holder must not vary the route or location specified in a permit without first obtaining the consent of the Council or an authorised officer.

42.2 A permit holder must not allow livestock to be on a road outside the hours specified in the permit.

42.3 A permit holder must follow the direction of an authorised officer to remove any livestock from a road.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

42.4 A permit must specify by name or by indication on an attached map the roads along which the livestock must be driven.

### **41. NOTICE OF PERMIT IS REQUIRED**



A permit under this Division must be applied for not less than 14 days before the time at which it is proposed to drive livestock.

**42. POWER TO IMPOUND LIVESTOCK**

Subject to the Impounding of Livestock Act 1994, an authorised officer may impound or secure in a place offering safe custody any livestock found trespassing on a road or in the possession of a permit holder who has breached the relevant permit.

**DIVISION 5 - SHOPPING TROLLEYS**

**43. LEAVING SHOPPING TROLLEYS**

A person must not leave, cause to be left or authorise another person to leave a shopping trolley on any road or Council Land or in any other public place.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**44. MISUSES OF SHOPPING TROLLEYS**

(a) A person must not use a shopping trolley for any other purpose for which it was not specifically designed.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**45. IMPOUNDMENT OF SHOPPING TROLLEYS**

An authorised officer, may seize and impound any shopping trolley found abandoned or which is being used in contravention of this Local Law.

**DIVISION 6 - CONTROL OF TOY VEHICLES AND MODEL AEROPLANES**

**46. MODEL AEROPLANES AND DRONES**

A person must not, without a permit, fly or permit to be flown any model aeroplane, drone or similar type of equipment over any road or Council land.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**47. CONTROL OF TOY VEHICLES**

A person must not:

- (a) use or allow to be used a toy vehicle so as to endanger, intimidate or unduly obstruct or hinder any other person or vehicle lawfully using or intending to use the same area;  
or

- (b) use a toy vehicle in an area designated by the Council under clause 48 contrary to that designation.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

#### **48. DESIGNATED AREAS**

- 48.1 The Council may designate areas (other than a road or road related area) where it considers that the riding of toy vehicles is reasonably likely to cause physical damage to infrastructure located within the area.
- 48.2 Where the use of toy vehicles is likely to interfere with the use and enjoyment of the locality or members of the public the Council may designate areas (other than a road or road related area) where the use of a toy vehicle is:
- (a) prohibited or;
  - (b) restricted to use at specified times or;
  - (c) permitted conditionally.
- 48.3 If the Council designates an area in which toy vehicles must not be used or can only be used at specified times or conditionally, it must erect signs in or on the area designated indicating that toy vehicles must not be used or can only be used at the times or subject to the conditions specified.
- 48.4 Where the Council fails to erect and maintain signs in accordance with sub-clause 48.3 it cannot proceed to prosecute a person for an offence under sub-clause 47.

### **DIVISION 7 – RIDING OF HORSES IN BUILT UP AREAS**

#### **49. RIDING HORSES ON NATURESTRIPS, PUBLIC RESERVES, RECREATION GROUNDS OR OTHER COUNCIL LAND**

- 49.1 Except where written permission has been obtained from the Council, a person in a built-up area must not ride or lead a horse or cause or authorise another person to ride or lead a horse upon a reservation, public reserve, recreation ground or other Council Land (other than one signposted by the Council as available for horse riding).

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

- 49.2 Notwithstanding sub-clause 49.1 a person can ride a horse on a Naturestrip, Public Reserve, Recreation Ground or other Council Land if it is part of an organised riding

activity for which a special event permit has been issued by the Council.

**50. WRITTEN PERMISSION**

The Council may give written permission, subject to any conditions considered to be appropriate, for a horse to be ridden or led upon a Naturestrip, Public Reserve, Recreation Ground or other Council Land where it is reasonably necessary for this to take place and there is no reasonable and safe alternative.

**DIVISION 8 – STATIONARY HEAVY VEHICLES**

**51. PARKING VEHICLES OVER 4.5 TONNES ON RESIDENTIAL LAND**

A person must not, without a permit, park, keep, store, repair or authorise the parking, keeping, storing or repairing of any vehicle weighing more than 4.5 tonnes (including any load) on any property within a Residential Area.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units**

**DIVISION 9 – ADVERTISING SIGNS**

**52. ERECTING OR PLACING ADVERTISING SIGNS**

- 52.1 A person without a permit must not erect or place an advertising sign or cause or authorise another person to do so:
- (a) on any Council land; or
  - (b) on any footpath; or
  - (c) on any other part of a road.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

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- 52.2 A person with a permit to display an advertising sign must ensure that permit conditions are complied with at all times.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**53. EXEMPT SIGNS**

- a) Clause 52 does not apply to
- b) (a) an advertising sign for a garage sale, an open inspection or auction provided:
  - (i) the sign is no larger than 700mm in width or 1 metre in height without the

- specific approval of an authorised officer; and
  - (ii) the sign is not placed on a round-a-bout or does not obstruct any constructed footpath or walkway; and
  - (iii) the sign is not located on any part of a road to which motor vehicles have access; and
  - (iv) the sign (pointer board) is only displayed at or near a property for which the person or agent is acting provided further that the sign(s) are only placed within the two hours preceding the activity being advertised and removed within the two hours of the conclusion of the activity being advertised; or
  - (v) the sign is not attached to or does not obstruct any traffic control device or sign or impede the view of any motorist; or
- (b) an advertising sign for which a planning permit has been issued.

#### **54. IMPOUNDING SIGNS**

Where any advertising sign is erected or placed in any place contrary to this Local Law or in contravention of any permit conditions, it may be removed by an authorised officer and impounded.

### **DIVISION 10 – DISPLAY OF GOODS FOR SALE**

#### **55. LOCATING GOODS FOR SALE**

55.1 A person without a permit must not place or display any goods for sale or cause or permit another person under his or her control to do so:

- (a) on any Council land; or
- (b) on any footpath; or
- (c) on any other part of a road.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

55.2 A person with a permit to display goods for sale must ensure that permit conditions are complied with at all times.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

#### **56. GOODS LEFT ON ROADS**

Any goods left or displayed on any part of a road contrary to this Local Law or displayed in contravention of any condition of a permit may be removed by an authorised officer and

impounded.

## **DIVISION 11 – TRADING FROM A ROAD OR TO A PERSON ON A ROAD**

### **57. PERMIT REQUIRED FOR ROADSIDE TRADING**

57.1 A person without a permit must not erect or place on any road a vehicle, caravan, trailer, table, stall or other similar structure for the purpose of selling or offering for sale any goods or services.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

57.2 A person with a permit to trade from a road must ensure that permit conditions are complied with at all times.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **58. TRADING TO A PERSON ON A ROAD**

58.1 A person without a permit must not sell or offer for sale any goods or services from a public place or Council Land to any person who is in that public place or on that Council Land.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

58.2 A person with a permit to sell or offer for sale any goods or services from a public place or Council Land must ensure that permit conditions are complied with at all times.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **59. REGULATION OF TRADING SITES**

59.1 If the Council has entered into an agreement (by way of lease, licence or otherwise) in relation to trading from a particular site, a person other than the person with whom the Council has the agreement must not trade from that site whether or not that person has a permit.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

59.2 In addition to any other power which it has, the Council may by resolution determine a

fee, charge, fare or rent in relation to selling or offering for sale of any goods or services from a property or public place adjacent to a road or to any person who is on that road or public place.

#### **60. IMPOUNDING OF GOODS AND EQUIPMENT**

Where the use of a site or the contravention of any conditions of a permit or agreement continues after a Notice to Comply has been served, any goods and associated equipment may be removed by an authorised officer and impounded.

### **DIVISION 12 – OUTDOOR EATING FACILITIES ON ROADS.**

#### **61. ESTABLISHING A TEMPORARY OUTDOOR EATING FACILITY**

61.1 A person without a permit must not establish an outdoor eating facility on any footpath or other part of a road.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

61.2 A person with a permit to establish an outdoor eating facility must ensure that permit conditions are complied with at all times.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

61.3 The outdoor eating facility must be solely outside the permit holder's premises and must provide a 2 metre clear accessible path of travel from the property line and be 700 mm from the kerb.

61.4 A permit is not required under this Local Law where a planning permit has been issued for the establishment of the outdoor eating facility

#### **62. USE OF OUTDOOR EATING FACILITY**

62.1 A person must not occupy a chair in or otherwise use the equipment in an outdoor eating facility unless he or she intends to use them for the purpose of eating food or drinking drinks to be provided by the permit holder.

**Penalty: 5 Penalty Units.**

**Infringement Penalty: 1 Penalty Units.**

62.2 A person must not cause a nuisance to or behave offensively towards another person at or passing an outdoor eating facility.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

62.3 A person must leave an outdoor eating facility when requested to do so by the permit holder, an authorised officer or a member of the Victoria Police.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**63. PERMIT CONDITIONS FOR TEMPORARY OUTDOOR EATING FACILITY**

63.1 A temporary outdoor eating facility must:

- (a) not be affixed or attached to the footpath, roadway or other infrastructure; or
- (b) not be placed so as to obstruct pedestrians and /or traffic at intersections.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

63.2 A temporary outdoor eating facility must be located solely outside the permit holder's premises and must provide a 2 metre clear accessible path of travel from the property line and be 700 mm from the kerb.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

63.3 The permit holder must ensure that all items comprising the temporary outdoor eating facility are removed from the footpath by the close of business each day or by 1 am on the day immediately following their placement (whichever occurs first).

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

63.4 Where an outdoor eating facility is used in contravention to this clause it may be removed by an authorised officer and impounded.

**64. REMOVING THE FACILITY**

A permit holder must move or remove an outdoor eating facility when requested to do so for the purposes of public safety by an authorised officer or member of the Victoria Police.

**DIVISION 13 – BULK RUBBISH CONTAINERS**

**65. PLACING BULK RUBBISH CONTAINERS, NATURESTRIPS AND COUNCIL LAND**

A person without a permit must not place or cause or allow another person to place a bulk rubbish container on a road or Council land.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**66. CONTAINER LEFT ON A ROAD, NATURESTRIP AND COUNCIL LAND**

Any bulk rubbish container placed on any part of a road contrary to this Local Law or in contravention of any condition of a permit may be removed by an authorised officer and impounded.

**DIVISION 14 – OCCUPATION OF THE ROADS**

**67. ROAD OCCUPATION**

A person must not, without a permit, on a road under the control of the Council:

- (a) occupy or fence off a road or any part of the road including the road reserve and other road related area; or
- (b) erect a hoarding or overhead protective awning; or
- (c) use a mobile crane or travel tower for any building work; or
- (d) make a hole or excavation; or
- (e) reinstate a hole or excavation; or
- (f) plant any vegetation (other than grass) on a nature strip.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**68. REINSTATEMENT WORKS**

- 68.1 The reinstatement of any part of the road damaged or affected by works of a type listed in clause 67 must be carried out in accordance with any conditions contained in the permit.
- 68.2 The fees to be applied in respect of reinstatement works will be those determined by the Council from time to time.
- 68.3 A Service Authority is responsible for the reinstatement of any part of the road, damaged or affected by works carried out by that Service Authority.

**69. IMPOUNDING OF EQUIPMENT**

Where any equipment, fencing or other items are being used in contravention of this Division, an authorised officer may remove the equipment, fencing or other items and impound them.

**70. WORKS OF SERVICE AUTHORITIES**



Except for sub-clause 68.3, the provisions of this Division do not apply to the works of any Service Authority.

## **DIVISION 15 – DEPOSITED SUBSTANCES**

### **71. SUBSTANCES FROM VEHICLES, ANIMALS AND LIVESTOCK**

A person must not allow any grease, oil, mud, clay or other substance to fall or run off a vehicle or livestock onto or under a road or allow or authorise another person to do so.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

### **72. REMOVAL OF SUBSTANCES**

A person in charge of a vehicle or livestock from which any substance has fallen or run off onto a road:

- (a) must take all reasonable steps to promptly remove the substance, make good any damage and remove any consequent hazard; and
- (b) where any damage or hazard remains, must promptly notify the Council or member of the Victoria Police of the damage or hazard.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

## **DIVISION 16 – EVENTS, STREET PARTIES, STREET FESTIVALS, PROCESSIONS, FIREWORKS, BUSKING, CIRCUSES AND CARNIVALS**

### **73. OCCASIONAL EVENTS IN COUNCIL'S PARKS /GARDENS & RECREATIONAL RESERVES**

73.1 A person must not, without a permit, conduct an Occasional Event in any of the Council's parks and gardens or reserves.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units**

### **74. COMMUNITY, SPECIAL AND MAJOR EVENTS**

A person must not, without a permit, conduct a Community Event, Special Event or Major Event.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units**

### **75. PERMITS FOR STREET PARTY, STREET FESTIVAL, SPECIAL EVENT OR PROCESSION**

A person must not, without a permit, hold a Street Party, Street Festival, Special Event or procession on a road.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**76. PERMITS FOR COMMUNITY MARKETS**

A person must not, without a permit, hold a Community Market on Council Land, roadway, or any private land.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**77. PUBLIC PLACES**

A person must not, without a permit, conduct any festival, public entertainment, sporting event or gathering or similar function in any public place.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**78. CANCELLATION OF PERMIT**

An Event permit may be cancelled:-

- (a) if it is deemed a Code Red Day; or
- (b) if the event organisers do not comply with the Council's requirements.

**79. DIRECTION TO CEASE EVENT**

An Event organiser must comply with directions given by members of the Victoria Police or an authorised officer to cease the Event if it is considered dangerous or a nuisance is being caused.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units**

**80. DISCHARGE OF FIREWORKS**

A person, including a licensed pyrotechnician, must not without a permit discharge or allow to be discharged fireworks on any property.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**81. DISCHARGE OF INTERNAL FIREWORKS**

A person, including a licensed pyrotechnician must not without a permit discharge or allow to be discharged fireworks within a Council building.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units**

**82. DIRECTIONS TO CEASE FIREWORKS**

A licensed pyrotechnician or an event organiser must comply with directions given by a member of the Victoria Police or an authorised officer to cease fireworks if they are unauthorised, considered dangerous or are creating a nuisance.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**83. BUSKING AND STREET ENTERTAINMENT**

A person must not, without a permit, busk within a Municipal Place.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**84. DIRECTIONS TO CEASE BUSKING**

A busker must comply with directions given by any member of the Victoria Police or an authorised officer to cease busking or moving from the busking location where a congestion, inconvenience or nuisance is being caused.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**85. CIRCUSES AND CARNIVALS**

A person must not, without a permit, conduct a circus, carnival or other similar event.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**DIVISION 17 - COLLECTIONS ON ROADS**

**86. COLLECTIONS**

A person must not, without a permit, solicit or collect any waste materials, gifts of money or subscriptions while present on any footpath adjacent to any road or cause or authorise another person to do so.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

*NOTE: Permit applications for highway collections (including traffic light intersections) are to be*

*referred to Victoria Police.*

## **DIVISION 18 - VEHICLES AND OTHER OBSTRUCTIONS**

### **87. DERELICT AND ABANDONED VEHICLES**

A person must not abandon, leave or allow to be left in or on a road, public place, reserve or Council Land any vehicle that is:

- (a) not currently registered; or
- (b) derelict to such an extent as to be unable to move under its own power and in disrepair.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

*Any Vehicle found on any Road, Council Land or Municipal Place and considered by an Authorised Officer to be derelict, abandoned or unregistered may be dealt with under the provisions of Schedule 11 to the Act.*

### **88. REPAIR OF VEHICLES AND STORAGE OF VEHICLES**

- a) A person must not repair, paint, dismantle, maintain or service a vehicle on any road or Council Land except where it is necessary to undertake minor repairs to get the vehicle underway or moving.
- b) A Person must not use any road or other Council Land for the purpose of storing any caravan, trailer, boat or damaged vehicle.
- c) Where, in the opinion of an Authorised Officer, this clause is not being complied with, the Authorised Officer may serve a Notice to Comply on the owner of the Vehicle being repaired, or caravan, trailer, boat or damaged vehicle being stored.
- d) If the owner of the Vehicle being repaired, or caravan, trailer, boat or damaged Vehicle being stored fails to comply with a Notice to Comply served under this the Vehicle being repaired, or caravan, trailer, boat or damaged vehicle being stored may be impounded by an Authorised Officer.
- e) For the purposes of subclause (b), an Authorised Officer may consider a caravan, trailer, boat or damaged vehicle to be stored if the vehicle has not been moved for 28 days.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

### **89. REMOVAL OF UNLAWFULLY PARKED AND/OR OBSTRUCTING VEHICLES**

89.1 Where a vehicle is left in the Municipal District:

- (a) causing an unlawful obstruction; or
- (b) unlawfully parked;

the vehicle may be relocated or impounded.

89.2 After having regard to the likely level of public nuisance, accidents, danger to pedestrians, congestion and delay to road users, the an Authorised Officer may relocate or impound a vehicle if it is causing an unlawful obstruction or is unlawfully parked in the following areas:

- (a) no stopping areas; or
- (b) on a footpath; or
- (c) school crossing zones; or
- (d) parking areas reserved for vehicles displaying a Disabled Persons Parking Scheme Permit; or
- (e) areas such as intersection zones and approaches to traffic lights, where the size and nature of the illegally parked vehicle creates an added problem for drivers' and pedestrians' line of sight; or
- (f) at Special Events, where unlawful parking is likely to result in unreasonable congestion; or
- (g) where a clear width of 3 metres has not been left for the passage of vehicles.

89.3 A notice of impounding is not required where a registered vehicle is moved less than 250m and relocated back onto a road.

## **90. OTHER OBSTRUCTIONS**

Where a craft, rubbish container, movable structure, device, material, object or other thing is left in the Municipal District:

- (a) causing an unlawful obstruction; or
- (b) causing a danger to pedestrians or other vehicles; or
- (c) getting in the way of or likely to get in the way of traffic; or
- (d) at Special Events, where unlawful parking is likely to result in unreasonable congestion; or
- (e) is abandoned and/or disowned

the obstruction may be removed by an authorised officer and impounded.

## **91. AUTHORISED OFFICER MAY MARK TYRES**

91.1 An authorised officer may mark the tyres of a vehicle parked in a parking area with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.

91.2 A person must not remove a mark made by an authorised person so that the purpose

of the affixing of such a mark is defeated or likely to be defeated.

**Penalty: 5 Penalty Units.**

**Infringement Penalty: 1 Penalty Units.**

## **92. PARKING BAY RESERVATION**

Where access to a vehicle or equipment is required consistently or regularly in the pursuit of an applicant's business, promotion, Special Event or activity, the Council may issue a Parking Bay Reservation Permit for short term and specific location parking needs.

## **93. VEHICLE USE ON COUNCIL LAND**

93.1 A person must not, without a permit:

- (a) drive, ride or use a vehicle on Council land, Municipal Place or other public place unless in an area designed and approved for that purpose: or
- (b) park a vehicle on Council Land, Municipal Place or other public place unless in an area designed and approved for that purpose.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

93.2 Where an unregistered vehicle is used in contravention of this clause, an authorised officer may remove and impound the vehicle.

93.3 Clause 93.1 does not apply to a road or road related area.

93.4 This Clause does not apply to an Authorised Officer or member of the Police Force in the course of their duties.

## **94. RECREATIONAL VEHICLES AND VEHICLE TRACKS ON PRIVATE PROPERTY**

94.1 A person must not without a permit use a vehicle for recreation or sporting purposes on any private land within the municipal district.

94.2 A person must not without a permit construct, maintain or use a recreational vehicle track, circuit or course on any private land within the municipal district.

94.3 Subclauses 94.1 and 94.2 do not apply to a registered vehicle moving in or out of premises or to vehicles used for farming purposes.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

## **DIVISION 19 - SAFETY, PEOPLE AND PROPERTY**

### **95. DANGEROUS AND UNSIGHTLY LAND**

- 95.1 An owner or occupier of land must not allow the land to:
- (a) become unsightly or detrimental to the general character and amenity of the neighbourhood in which it is located; or
  - (b) harbour unconstrained rubbish; or
  - (c) contain disused excavation or waste material; or
  - (d) store disused machinery or vehicles or for the assembly or dismantling of such machinery or vehicles; or
  - (e) pose a danger or a risk to people or property in the vicinity.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

(b)

- 95.2 In determining whether land poses a danger or a risk to people or property in the vicinity or is unsightly or detrimental to the general amenity of the neighbourhood, an authorised officer must take into account the following factors:
- (a) the level of grass and weeds on property should be no higher than 500 millimetres; and
  - (b) whether the volume of unconstrained rubbish or litter is excessive; and
  - (c) the fact that disused waste material should not remain on the land for a period longer than 14 days; and
  - (d) the fact that disused excavation should not remain on the land for any period without the provision of fencing adequate to prevent access by children or for longer than 14 days in any case; and
  - (e) whether the volume or type of substances or materials, including building materials and fill from building sites, is excessive; and
  - (f) whether the volume or type of goods, such as second-hand goods, vehicles or machinery, is excessive.

- 95.3 An owner or occupier of any urban land must not allow blackberries to grow on or spread from that land.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

## **96. DILAPIDATED BUILDINGS**

Without limiting clause 95, an owner or occupier of land on which is located any building or other structure which is unoccupied, unfit for occupation or not ordinarily occupied:

- 96.1 Must not permit that building or structure to become dilapidated or further dilapidated;
- 96.2 Must take all reasonable steps to secure the building or structure from unauthorised

access, including, if required, secure fencing, boarding up/securing windows and other access points, more adequate locks and any other security options that are, in all the circumstances, reasonable to exercise;

96.3 Must take reasonable steps to prevent or remedy the land from being a haven for regular anti-social or unlawful behaviour by unauthorised persons;

96.4 Must maintain the building or structure in a state of good repair and appearance, including undertaking temporary repairs as required to ensure on-site safety and security and to avoid the appearance of neglect out of character with other land in the vicinity;

96.5 Must not allow any graffiti to remain on any building, wall, fence, post or other structure or object erected on that land; and

96.6 Will commit a new offence under this Local Law for every month any breach of this clause continues unless effective works have been undertaken to remedy any breach.

**Penalty: 20 Penalty Units**

**Infringement Penalty: 5 Penalty Units.**

#### **97. ELECTRIC FENCE**

A person must not, without a permit, erect an electric fence in a Residential Area adjacent to a street alignment or public open space.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

#### **98. BOAT RAMPS**

A person must not, without a permit, launch a boat, jet-ski or other water craft on a Council controlled waterway.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

#### **99. WATERWAY BEHAVIOUR**

99.1 A person must not leave, moor, tie or secure a boat to a boat ramp, pontoon or jetty contrary to any sign on or adjacent to any boat ramp, pontoon or jetty.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

99.2 A person must not swim, dive, or fish contrary to any sign at a Council controlled waterway.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**



99.3 A person must not, while aboard a vessel on a body of water:

- (a) engage in any activities which are dangerous to any other person; or
- (b) use an amplifier or electronic device so as to interfere with the use or enjoyment of the body of water or any adjacent land by any other person; or
- (c) interfere with the reasonable use and enjoyment of the body of water or any adjacent land by any other person.

(c) **Penalty: 10 Penalty Units.**

(d) **Infringement Penalty: 2 Penalty Units.**

99.4 A person must not, without a permit, use or operate a boat, jet-ski, sailboard, wind surfer, skiffle board or ski on a Council controlled waterway other than in an area prescribed for that purpose.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

## **100. CODE RED FIRE DANGER RATING DAY**

A person must not enter a bushland reserve managed by the Council on a Code Red Fire Danger Rating day.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

## **101. OPEN AIR BURNING**

101. OPEN AIR BURNING

A person must not, without a permit light or cause or allow to be lit or remain alight any fire in the open air on any land or road within the Municipal District.

101.1 Despite clause 101, an owner or occupier of land may burn-off in the open air for the purposes of reducing fuel loads on that land in accordance with the following -

- (a) The land greater than 1 hectare in size; and
- (b) The land is outside a 500 metre radius from any residential area; and
- (c) Someone is in attendance at all times while the fire is lit; and
- (d) Fire suppression equipment is onsite; and
- (e) The fire is only allowed to burn during daylight hours.
- (F) VicFire is notified beforehand.

101.2 A burn-off is disallowed or not permitted to continue on days of total fire ban, during CFA declared Fire Danger Period or any other time as directed by Latrobe City Council.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**102. USE OF A BARBECUE**

- (a) Despite clause 101, a fire is permitted in a barbecue for the purpose of cooking food provided that such use does not create a nuisance.
- (b) A person must not light or allow to be lit or remain alight any fire in a barbecue or similar device for purposes other than for the cooking of food for human consumption or personal warmth.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**103. FIRES FOR PERSONAL WARMTH**

- (a) Despite clause 101, a fire is permitted on private property for the purpose of personal warmth provided that such use does not create a nuisance.
- (b) A person must not burn leaves, green wood or rubbish in a fire lit for personal warmth.
- (c) A person lighting a fire for personal warmth must ensure that:
  - (i) during the Fire Danger Period the wind is not more than 10 kph; and
  - (ii) the fire is lit in a properly constructed fireplace or in a trench at least 30 centimetres deep; and
  - (iii) the area within a distance of 3 metres from the outer perimeter of the fire is clear of flammable material; and
  - (iv) the fire does not occupy an area in excess of 1 square metre and the size and dimensions of solid fuel used are the minimum necessary for the purpose; and
  - (v) a person is in attendance at all times while the fire is alight and has the capacity and means to extinguish the fire; and
  - (vi) the fire is completely extinguished before the person leaves.

*NOTE: that in accordance with the CFA Act, a "properly constructed fireplace" means a fireplace that is constructed of stone, metal, concrete or any other non-flammable material so as to contain the perimeter of the fire. A commercially produced barbecue would be considered a properly constructed fireplace.*

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**104. BURNING IN AN INCINERATOR**

- 104.1 A person must not, without a permit, cause or allow an incinerator to be constructed, erected, installed or used on any property, road or other land in respect of which that

person is the owner or occupier or has responsibility for the management and control of the incinerator.

104.2 A person must not, without a permit, light or allow to be lit or remain alight any fire in an incinerator within the Municipal District.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

#### **105. CHIMNEYS/WOOD STOVES**

105.1 An owner or occupier of land must not cause or allow any chimney and/or wood stoves to discharge dust, grit, ashes or smoke to such an extent that it is dangerous to the health of another person.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

105.2 Where an authorised officer is of the opinion that a chimney and/or wood stove is discharging dust, grit, ashes or smoke which is dangerous to the health of or is offensive to another person, he or she may serve a Notice to Comply on the owner or occupier of the land.

#### **106. DIRECTION TO EXTINGUISH A FIRE.**

A person must obey a direction from an authorised officer to extinguish a fire.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

#### **107. CLOTHING RECYCLING BINS**

107.1 A person must not, without a permit, place any clothing recycling bin on any land.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

107.2 A permit is not required under this Local Law for the placement of a clothing recycling bin in a place to which members of the public do not and might not reasonably expected to have access.

107.3 A person must not interfere with, deposit rubbish in or remove the contents of a clothing recycling bin except that this clause does not apply to the person on whose behalf the bin was placed, an employee or agent of the person who placed the bin or an authorised officer.

### **DIVISION 20 - THE ENVIRONMENT**

#### **108. CAMPING**

A person must not, without a permit, camp on Council Land or in a public place in a tent, caravan or any other temporary or makeshift structure unless such land is within a licensed Caravan Park or an area determined to be available for camping purposes by the Council.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

#### **109. CARAVANS AS TEMPORARY ACCOMMODATION**

109.1 A person must not, without a permit, occupy a caravan on private property except in accordance with clause 108.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

109.2 Sub-clause 109.1 does not prevent an occupier of private property where a dwelling exists placing one caravan owned by them on the property for the use of a member of the household or a temporary visitor to sleep in for a total period not exceeding 28 days in any one year.

#### **110. PLACEMENT OF CARAVANS ON PRIVATE PROPERTY**

A person without a permit must not place or allow to be placed on any private property more than one caravan.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

#### **111. NOISE**

111.1 A person on a road or in a public place must not without the consent of the Council or an authorised officer:

- (a) sound or play upon any musical or noise instrument; or
- (b) sound, play, control, operate or use any loudspeaker, amplifier, microphone, wireless receiving set, or broadcasting set or any other like device capable of being used for making or amplifying sounds or noise; or
- (c) shout, sing or harangue where that noise interferes with the reasonable comfort of a person.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

111.2 Sub-clause 111.1 does not apply to any sounds within a motor vehicle which cannot be heard outside that vehicle or any sound or noise conveyed through any head

phones which are not audible to a person other than the wearer of those head phones.

## DIVISION 21- KEEPING OF ANIMALS

### 112. KEEPING OF ANIMALS

112.1 An owner or occupier of land must not, without a permit, keep or allow to be kept any more in number for each type of animal than as set out in the following table except for farming areas:

<i>Type of Animal</i>	<i>Definition</i>	<i>Multi Unit Development</i>	<i>All Other Areas (Except Farming area)</i>
Dogs		2	2
Cats		2	2
Poultry -		Not permitted	5
<i>Poultry includes; fowls, bantams, pheasants, ducks and geese.</i>			
Free Flying Pigeons		0	0
Rooster		0	0
Domestic Mice		10	10
Guinea Pigs,			
Ferrets, Hamsters		2	4
Domestic Rabbits		2	4
Reptiles		2	2
Other animals*		Not permitted	0 (Residential) / 10 (Rural Living Zone)

*\*Other animals include; cattle, horse, goat, swine, pig, ostrich, sheep and any other agricultural animal.*

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

112.2 A permit issued for the keeping of dogs and /or cats under this Part will be granted for the life of the animal although if an offence or nuisance be proven the permit can be revoked.

112.3 Sub-clause 112.1 does not apply where animals are kept in accordance with a planning permit or where a Commercial Wildlife Licence has been obtained in accordance with the Wildlife Regulations 2013.

112.4 A person keeping animals in accordance with clause 112.1 must ensure that the animals do not create a nuisance or danger to neighbours or other persons.

### 113. DOGS AND CATS ON FARMING PROPERTIES

Except where a planning permit is issued an owner or occupier of a working farm within a farming area must not, without a permit, keep or allow to be kept more than four adult dogs

and/or four adult cats on that land except where allowed by the planning scheme.

**114. MAXIMUM NUMBER OF DOGS AND CATS ON ANY LAND**

Except where a planning permit is issued a person must not keep more than five dogs or five cats on any land except where allowed by the planning scheme.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**115. LITTERS OF ANIMALS**

For the purpose of calculating the maximum limit of the numbers of animals kept, the progeny of any animal lawfully kept will be exempt for a period of 3 months after their birth.

**116. LIVESTOCK KEPT UNSECURED**

a) A person must not allow any livestock owned by or in that person's custody to be kept unsecured or allowed to stray onto any road or public land.

b) A person without a permit must not keep or allow to be kept any horse, goat, sheep, pig or similar animal on land in a residential area.

c) A person must not keep cattle on any land in a residential area.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**117. CAGED BIRDS**

Any person keeping poultry or caged birds of any type must ensure that these birds do not result in the generation of any nuisances to any individual or group of people.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**118. FREE FLYING PIGEONS**

118.1 A person must not, without a permit, keep free flying pigeons on any land.

118.2 Sub-clause 118.1 does not apply to a registered member of a pigeon racing club affiliated with the Gippsland Pigeon Federation.

118.3 Notwithstanding sub-clause 118.1 and 118.2 a planning permit is required for more than 99 pigeons to be kept under these provisions.

118.4 A Planning Permit is required for 100 or more pigeons.

118.5 An occupier of land must ensure that any free flying pigeons housed on that land are housed in a loft of the type approved by a racing pigeon organisation and which meets

the requirements of the Building Code of Australia.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

#### **119. ANIMAL EXCREMENT**

A person in charge of an animal on a road or other Municipal Place must:

- (a) carry a device suitable for the removal of any excrement that may be deposited by the animal; and
- (b) not allow any part of the animal's excrement to remain on a road or other Municipal Place; and
- (b) produce the device on demand by an authorised officer.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **DIVISION 22 - DISPOSAL OF WASTE**

#### **120. DOMESTIC WASTE**

120.1 The occupier of every dwelling or other property to which the Council provides a kerbside waste collection service must comply with this Part.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

120.2 The occupier of any property to which the Council does not provide a kerbside waste collection service must remove any waste from the property and dispose of it into an appropriate receptacle or to a waste disposal facility in a manner that is clean, inoffensive and does not harm the environment, and in compliance with any relevant Environmental Protection Authority guidelines.

#### **121. TYPE OF DOMESTIC WASTE AND RECYCLING RECEPTACLES**

121.1 The occupier of every dwelling, or other property, to which the Council provides a kerbside garbage service, green waste service and/or recycling service must not place domestic waste or recycling out for collection unless the domestic waste is contained in a receptacle supplied, approved and determined by the Council from time to time for any particular collection district.

121.2 An occupier of property must ensure that all receptacles on the property:

- (a) have a lid which seals to make the receptacles weather and fly proof and secure; and
- (b) are kept in good order and in a clean and sanitary condition.

## **122. PLACEMENT OF DOMESTIC WASTE AND RECYCLING CONTAINERS**

- 122.1 Domestic waste, green waste and recycling receptacles must be placed on the naturestrip adjacent to the driveway abutting the occupier's property no earlier than the evening before collection day as specified by the Council for collection from that property or in accordance with any instruction issued by the Council or any contractor engaged by the Council to collect such waste or recyclables.
- 122.2 Bin lids must be closed and not be overflowing.
- 122.3 Bins placed out for collection outside any commercial or retail premises must also be placed out in accordance with any instructions issued by the Council or any contractor engaged by the Council to collect waste or recyclables.

## **123. REMOVAL OF BINS AND ANY SPILLAGE**

Once the waste has been collected by the Council or its contractor, the empty receptacle must be returned to the property by the occupier and any waste which has spilled onto the road, nature-strip or surrounding area must be removed by the occupier responsible for the bin within 24 hours of collection.

## **124. UNAUTHORISED USE OF RECEPTACLES**

- 124.1 Garbage, recycling and green waste receptacles are for the exclusive use of the occupier. Garbage, recyclables, green waste or any other material must not be placed in another resident's receptacle.
- 124.2 Garbage, recycling and green waste receptacles must not be removed from a property when the occupier changes their place of residence for any reason.

### **124.3 ADDITIONAL WASTE RECEPTACLES**

In the event of any occupier of a property placing out in excess of three receptacles for regular collection of domestic waste, green waste and recycling from any one dwelling, the Council may regard that dwelling as a multiple dwelling for the purposes of calculating the service charge as determined by the Council from time to time. Any additional receptacles require the approval of the Council.

## **125. PROHIBITED WASTE**

- 125.1 The following material is prohibited from being placed in domestic waste receptacles and street litter receptacles for collection by the Council:
- (a) slops, liquid waste, animal carcasses and offensive material; and
  - (b) dirt, dust, or other matter from any vacuum cleaner, hair, or other similar matter or moist refuse, unless it has been securely wrapped in an impermeable cover or container to prevent its escape; and
  - (c) ashes or other like matter unless they have been mixed with water to form a



consistency of a stiff paste before being wrapped and placed in the receptacle; and

- (d) glass or other sharp objects unless they are properly contained or wrapped in such a way as to render them harmless and inoffensive; and
- (e) oil, paint, solvents or similar substance or any other substance which may damage the receptacle or reduce its strength or effectiveness; and
- (f) disposable napkins unless they have been cleaned of solids and securely wrapped and placed in an impermeable cover; and
- (g) impervious material prior to being placed in the receptacle; and
- (h) commercial/industrial and trade waste of any kind; and
- (i) any garden refuse, grass clippings or tree cuttings unless wrapped; and
- (j) objects over 8 kilograms in weight; and
- (k) medical waste, needles, syringes, chemicals, prescribed wastes or other hazardous materials.

125.2 The following material is prohibited from being placed in green waste receptacles for collection by the Council:

- (a) any material prohibited from domestic waste receptacles, excluding green waste; and
- (b) plastic bags, soil or rubble, food or household waste, nappies, bricks, pot plants, logs or stumps over 100 mm in diameter and 300 mm in length, and recyclables.

125.3 The following material is prohibited from being placed in recycling receptacles for collection by the Council:

- (a) any material prohibited from domestic waste receptacles; and
- (b) household waste, polystyrene, plastic bags and film wrap and green waste.

## **126. RECYCLING AND HARD GARBAGE COLLECTION**

126.1 Occupiers of properties who have made a prior booking with the Council for an at-call hard waste collection service must leave hard waste out for collection in accordance with the Council's instructions.

126.2 A person must not place out for collection on the naturestrip or in any surrounding area any waste unless the Council has instructed him or her to do so.

126.3 A person must not remove or interfere with any hard waste left out for collection.

## **127. COMMERCIAL/INDUSTRIAL WASTE AND WASTE SKIPS**

An occupier of property may arrange for the collection of commercial/industrial waste or for the placement of a waste/recycling skip subject to compliance with this Local Law and consistency

with any Vic Roads guidelines.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

## **128. TRADE WASTE AND WASTE HOPPERS (INCLUDING RECYCLING BINS)**

### **128.1 CONSTRUCTION OF BINS**

A person using a Waste hopper or bin for the collection and storage of trade waste must ensure that it:

- (a) is constructed of approved impervious material to the satisfaction of the Council to prevent leakage, absorption or accumulation of any refuse or rubbish that may be deposited in it; and
- (b) is watertight, fly and vermin proof; and
- (c) contains a removable drainage plug for the purpose of cleaning; and is fitted with fly and vermin proof lid with overlapping flanges which must be kept continuously closed.

### **128.2 EMPTYING OF TRADE WASTE BINS**

Waste hoppers or bins must be emptied at least weekly or more regularly if the contents become offensive.

### **128.3 CLEANLINESS AND STORAGE OF BINS**

The occupier of a property on which a bin for the storage of trade waste is kept must ensure that:

- (a) the surface upon which the bin is stored is impervious, graded and drained to the sewer or an approved outlet with such silt traps or other treatment devices as required by the Council; and
- (b) the storage site is supplied with a tap connection and hose of a size approved by the Council; and
- (c) the bin is screened in such a way and with such material as approved by the Council; and
- (d) the bin is cleaned thoroughly after each emptying; and
- (e) the storage site is such that it does not detrimentally affect the amenity of the area.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

## **129. USE OF TRANSFER STATIONS AND LANDFILL SITES BY RESIDENTS**

129.1 Transfer Stations and Landfill Sites are available to residents and ratepayers for the disposal of waste generated from within the Municipal District and other wastes that are allowed to be disposed in accordance with an applicable Environmental Protection Authority licence.

129.2 The landfill sites will be available to residents for the disposal of asbestos material only when the appropriate permit has been issued prior to disposal.

129.3 A person using a Transfer Station or Landfill Site under this provision must pay the fees and charges applicable and comply with the set terms and conditions.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **130. USE OF TRANSFER STATIONS AND LANDFILL SITES BY NON RESIDENTS**

130.1 The Council may consider allowing persons other than residents and ratepayers to use a Transfer Station or Landfill Site.

130.2 A non-resident who is permitted to use the Transfer Station or Landfill Site under this provision must pay the fees and charges applicable and comply with the set terms and conditions.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **131. CONDUCT AT TRANSFER STATIONS/LANDFILL**

A person must not fail to adhere to an instruction from a Transfer Station/Landfill attendant or act contrary to an authorised sign at a Transfer Station/Landfill.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **132. ACCESS TO TIPPING FACE**

The Council may refuse access to the tipping area of a Landfill to a person who fails to pay the required fee or charge or who fails to comply with the terms and conditions of use of the Landfill.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

### **133. DUMPING OF ICE CHESTS, TRUNKS OR SIMILAR CONTAINERS**

A person must not place or leave or allow to remain a disused refrigerator, ice-chest, icebox, trunk, chest or any other similar article having a compartment which has a capacity of 0.04 cubic metres or more on any land without first:

(a) removing every door and lid; or

- (b) removing every lock, catch and hinge attached to a door or lid; or
- (c) otherwise rendering every door and lid incapable of being fastened.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**134. SCAVENGING AT TRANSFER STATIONS/LANDFILL**

A person must not, without a permit, remove material of any kind which has been deposited at a Transfer Station/Landfill.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**135. TRANSFER STATION SECOND HAND GOODS SHOP**

Any person may purchase materials or items displayed in the designated areas or the second hand goods shop located at the Transfer Station upon payment of the charges applied by the Transfer Station attendant.

**DIVISION 23 - GREY WATER, STORMWATER DRAINS AND PRIVATE DRAINS**

**136. DRAINAGE TAPPINGS**

136.1 A person must not, without a permit, tap into or interfere with any drain under the control of the Council.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

136.2 Sub-clause 136.1 does not apply where the Council has certified a plan of subdivision or given its approval for the drain to be tapped under any other legislation administered by it.

**137. INTERFERENCE WITH WATER COURSE**

137.1 A person must not, without obtaining approval from the Council to do so, destroy, damage or interfere with a water course, ditch, creek, gutter, drain, tunnel, bridge, levee, culvert or fence which belongs to the Council or is under the control or management of the Council.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

137.2 Sub-clause 137.1 does not apply to works undertaken by a Service Authority.

**138. GREY WATER**

All effluent generated on a property must be retained and disposed of by approved means within that property boundary, unless:

- (a) the effluent is approved for disposal, and is disposed of through the reticulated sewerage system; or
- (b) there is a current approval in place issued by the relevant authority for off-site discharge to occur; or
- (c) there is a current contract with an approved waste disposal contractor in place to collect and dispose of effluent generated on the property

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

**139. STORMWATER DRAINS**

An owner of a property must not:

- 139.1 obtain a permit from the Council prior to connecting a stormwater drainage system serving a residential, commercial or other property to an adjacent Council stormwater drainage system, and comply with the conditions of such permit; and
- 139.2 connect a stormwater drainage system serving a residential, commercial or other property to an adjacent Council stormwater drainage system when directed to do so by an authorised officer provided that the authorised officer provides a timeframe within which the connection has to be made; and
- 139.3 ensure that such connection complies with any conditions imposed by the Council; and
- 139.4 adequately maintain the stormwater connection between the property boundary and the Council drain when directed to do so by an authorised officer, provided that the authorised officer provides a timeframe within which the maintenance has to be done.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

**140. PRIVATE DRAINS**

An owner of a property must not:

- (a) fail to maintain a private stormwater drainage system serving a residential, commercial or other property where the failure to do so causes a nuisance to a property upstream or downstream of the private stormwater drainage system whether during storm events or otherwise; and

- (b) fail to carry out rectification or maintenance works when directed to do so by an authorised officer provided that the authorised officer provides a timeframe within which the works have to be completed; and
- (c) build over, carry out works within or fill in any drain located in an easement, whether in favour of the Council or otherwise.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

## **DIVISION 24 - PUBLIC HEALTH**

### **141. OFFENSIVE CONDITIONS**

A person must not:

- (a) cause; or
- (b) allow to exist on or emanate from any property owned or occupied by or in the charge of that person, any condition that is offensive, unsanitary or liable to be dangerous to health.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

## **DIVISION 25 – BEHAVIOUR**

### **142. BEHAVIOUR IN MUNICIPAL PLACES**

142.1 A person in any Municipal Place must not behave in a manner which is boisterous or harmful or which causes interference with the quiet enjoyment of any person using the Municipal Place.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

142.2 A person must not behave in any Municipal Place in a way which that is detrimental to the Municipal Place or other Council and Community Assets.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

142.3 An owner or occupier of land must not allow trees, plants or any other matter on his or her land to cause damage to or interfere with a Municipal Place.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

142.4 Where the Council is of the opinion that trees, plants or any other matter or land are causing damage to or interfering with a Municipal Place, it may serve a Notice to

Comply on the owner or occupier of the land.

142.5 A person must not, without a permit, destroy, damage or interfere with or attempt to destroy, damage or interfere with any trees and plants in any Municipal Place or under the care and management of the Council.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

142.6 A person must not in a Municipal Place:

- (a) act in a way which endangers any person; or
- (b) use or attempt to use any volatile, explosive or flammable matter; or
- (c) damage, destroy, write on, interfere with, remove from or affix to any building, improvement, furniture, fitting or equipment or other structure of any kind; or
- (d) destroy, pull down, obliterate or deface a sign put in place or erected by the Council; or
- (e) spit or expectorate; or
- (f) carry firearms unless specifically authorised to do so under the Firearms Act 1958; or
- (g) shoot, snare, molest, injure or in any way harm or interfere with any bird or animal, or attempt to shoot, snare, molest, injure or in any way harm or interfere with any bird or animal.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

142.7 Paragraphs (c), (f) and (g) of sub-clause 142.6 do not apply to an authorised officer, or another person acting in the course of their duty with a member of the Police Force or an Emergency Service or to a person acting in accordance with a request by or the permission of the Council.

## **DIVISION 26 - SMOKING**

### **143. SMOKING IN MUNICIPAL PROPERTIES AND MUNICIPAL PLACES**

143.1 The Council may declare any Municipal Property or Municipal Place or any part of a Municipal Property or Municipal Place to be a smoke free area.

143.2 The Council must cause signs to be displayed in any Municipal Property or Municipal place or any part of a Municipal Property or Municipal Place which it has declared to be a smoke free area.

143.3 Where the whole of a Municipal Property or Municipal Place is declared to be a smoke free area, it will be sufficient to display signs indicating the property as a smoke free or

non smoking area at the main entrance (or entrances where there are more than one main entrance) to the property.

143.4 A person must not smoke in or on any Municipal Property or Municipal Place or any part of the Municipal Property or Municipal Place which has been declared to be a smoke free (or no smoking) area.

**Penalty: 10 Penalty Units.**

**Infringement Penalty: 2 Penalty Units.**

143.5 Where the Council fails to erect and maintain signs in accordance with sub-clauses 143.2 and 143.3 it cannot proceed to prosecute a person for an offence under sub-clause 143.4.

## **DIVISION 27 - CONSUMPTION OF ALCOHOL**

### **144. MUNICIPAL PLACES WHERE ALCOHOLIC BEVERAGE MAY NOT BE CONSUMED OR POSSESSED**

144.1 A person must not, without a permit, consume or have in his or her possession or under his or her control any alcoholic beverage, other than in a sealed container, in or on any Municipal Place located within the area shown on Map 1, 2, 3, 4 or 5 of Schedule 2 contained within the thick dark line and marked with the letters 'CBD' unless the Municipal Place is a licensed premises or authorised premises.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

144.2 A person must not, without a permit, consume or have in his or her possession or under his or her control any alcoholic beverage, other than in a sealed container, in or on any Municipal Place located outside the area referred to in sub-clause 144.1 other than during the hours between:

- (a) 8.00 a.m. and 6.00 p.m. eastern standard time; or
- (b) 8.00 a.m. and 8.00 p.m. during the time in which daylight saving time operates in Victoria;

unless the Municipal Place is a licensed or authorised premises.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

## **DIVISION 28 - USE OF COUNCIL RECREATION CENTRES, PUBLIC RESERVES AND RECREATION GROUNDS**



**145. USE OF COUNCIL RECREATION CENTRES, PUBLIC RESERVES AND RECREATION GROUNDS**

145.1 A person must not, while present in a Recreation Centre or on a Public Reserve and Recreation Ground:

- (a) climb, jump or get upon or over any wall, fence, gate, seat or other structure; or
- (b) use an amplifier or electronic device other than in a manner and location permitted by the Council or an authorised officer; or
- (c) use any children's playground equipment other than for the purpose for which it was provided; or
- (d) swim in, wade through, or enter for recreational purposes, or fish in any lake, pond or excavation containing water, or attempt to catch, injure or kill any animal contrary to any sign; or
- (e) throw, place or cause or allow to be thrown or placed any liquid, stone, stick, paper, dirt, rubbish or any other object, substance or thing into any wetland, lake, pond, fountain or any other body of water; or
- (f) enter any areas which are set aside for planting or growing of plants excepting the undertaking of approved works, where the person is, or is a volunteer directly supervised by, an employee of the Council, a person contracted to the Council for the purpose, a member of the relevant Committee of Management, or a member of that venue's approved committee or friends group; or
- (g) fly or permit to be flown any model aeroplane, aircraft or similar apparatus of any kind, excluding a kite, but including any audible motor-propelled device; or
- (h) undertake or organise activities for commercial gain, including commercial tour operations, and commercial providers of recreational activities (personal trainers use of facility) without a permit and payment of the prescribed fee.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

145.2 An owner or occupier of land adjoining a public reserve or recreation ground must not without a permit:

- (a) install, or permit to be installed, a gateway on or other means of access to or from the Recreation Centre or Public Reserve and Recreation Ground; or
- (b) allow vehicular access from their land to public reserve or recreation ground.

**Penalty: 20 Penalty Units.**

**Infringement Penalty: 5 Penalty Units.**

## **PART 7 - ENFORCEMENT AND PENALTIES**

### **146. POWERS OF AUTHORISED OFFICERS**

If an authorised officer considers that there has been a breach of this Local Law, including a breach of any conditions of a permit, the authorised officer may take any or all of the actions provided in this Local Law and may:

- (a) direct the person to cease the activity breaching the Local Law; or;
- (b) give a verbal warning the person who is breaching the Local Law; or
- (c) issue an official warning in accordance with the Infringements Act 2006; or
- (d) serve a Notice to Comply to remedy the breach; or
- (e) issue an infringement notice in accordance the Infringements Act 2006.

### **147. OFFENCES**

147.1 Where any provision in this Local Law requires that something must be done, any person who fails to do that act is guilty of an offence.

147.2 Where any provision in this Local Law requires that something must not be done any person who does that act is guilty of an offence.

147.3 Where any provision in this Local Law requires that something may not be done between specified hours of the day or night during specified months of the year, on days falling within specified categories\* or in or at specified locations or specified parts of those locations, any person who does that act between the hours, during the months, on the days, or at the location or a specified part is guilty of an offence.  
*\*e.g. acute fire danger days.*

147.4 Where any provision in this Local Law requires that a person obtain a permit from the Council before engaging in any particular activity, that person is guilty of an offence if that person engages in that activity without a current permit issued by the Council (unless the Council, in its discretion, has waived the requirement for a permit).

147.5 Where any permit issued under this Local Law contains conditions, any person who contravenes or fails to comply with a condition of a permit is guilty of an offence.

147.6 Where any offence arises under this Local Law in respect of which a specific penalty has not been indicated, the penalty for that offence is 10 penalty units and the Infringement Penalty is 2 Penalty Units.

147.7 A person who is guilty of a second or subsequent offence against the same provision in this Local Law is liable to a penalty not exceeding 20 penalty units.

### **148. POWER TO SERVE INFRINGEMENT NOTICES**

An authorised officer may serve an infringement notice on a person who the authorised officer has reason to believe has committed an offence against this Local Law

An offence referred to in this clause is an infringement offence within the meaning of the Infringements Act 2006.

## **PART 8 - DELEGATIONS**

### **149. DELEGATIONS**

In accordance with section 114 of the Act, the Council hereby:

- (a) delegates to the Chief Executive Officer and to each Senior Officer and to any person for the time being acting for such persons all the powers, discretions, authorities and considerations of the Council under this Local Law including (but not limited to) the powers, discretions and authority to issue or refuse permits, fix conditions and durations relevant to such permits, cancel permits, required additional information, apply standards or guidelines or policies of the Council, consider appeals and waive the need for any permit or waive or fix or reduce any fee or charge or to do any act, matter or thing necessary for or incidental to the performance or exercise of any function or power by the Council; and
- (b) delegates to each authorised officer the powers, discretions and authorities to act on behalf of Council in performing any duty or function or in exercising any discretion of the Council specified in this Local Law.

## **PART 9 - SCHEDULES**

### **SCHEDULE 1: AREAS OF RESPONSIBILITY**

<b>Clause</b>		<b>Responsibility</b>
<b>DIVISION 1 - OBSTRUCTIONS TO THE FREE PASSAGE OF PEOPLE AND VEHICLES</b>		
28	Trees and plants not to obstruct or obscure	Local Laws
29	Fences, signs, posts, and other objects	Local Laws
<b>DIVISION 2 – ROAD NAMES AND PROPERTY NUMBERS</b>		
30	Council to approve road names	
31	Property numbers to be displayed	Local Laws
32	Incorrectly displaying property numbers	Local Laws
<b>DIVISION 3 - VEHICLE CROSSINGS</b>		
33	A vehicle crossing is required	Asset Protection
34	A permit is required	Asset Protection
35	Redundant vehicle crossings	Asset Protection
36	Vehicle crossings in disrepair	Asset Protection
<b>DIVISION 4 – LIVESTOCK ON ROADS</b>		
37	Driving and crossing of livestock on roads	Local Laws & Traffic Engineering
38	Grazing of livestock on roads	Local Laws & Traffic Engineering
39	Exempt areas - places where the driving or grazing of livestock	Local Laws & Traffic Engineering
40	Livestock grazing, driving and crossing permit conditions	Local Laws & Traffic Engineering
41	Notice of permit is required	Local Laws & Traffic Engineering

42 Power to impound livestock Local Laws

**DIVISION 5 - SHOPPING TROLLEYS**

43 Leaving shopping trolleys Local Laws

44 Misuses of shopping trolleys Local Laws

45 Impoundment of shopping trolleys Local Laws

**DIVISION 6 - CONTROL OF TOY VEHICLES AND MODEL AEROPLANES**

46 Model aeroplanes and drones Local Laws

47 Control of toy vehicles Local Laws

48 Designated areas Local Laws

**DIVISION 7 – RIDING OF HORSES IN BUILT UP AREAS**

49 Riding horses on naturestrips, public reserves, recreation Local Laws

50 Written permission Local Laws

**DIVISION 8 – STATIONARY HEAVY VEHICLES**

51 Parking vehicles over 4.5 tonnes on residential land Local Laws

**DIVISION 9 – ADVERTISING SIGNS**

52 Erecting or placing advertising signs Local Laws

53 Exempt signs Local Laws

54 Impounding signs Local Laws

**DIVISION 10 – DISPLAY OF GOODS FOR SALE**

55 Locating goods for sale Local Laws

56 Goods left on roads Local Laws

**DIVISION 11 – TRADING FROM A ROAD OR TO A PERSON ON A ROAD**

57 Permit required for roadside trading Local Laws

58 Trading to a person on a road Local Laws

59 Regulation of trading sites Local Laws

60 Impounding of goods and equipment Local Laws

**DIVISION 12 – OUTDOOR EATING FACILITIES ON ROADS.**

61 Establishing a temporary outdoor eating facility Local Laws

62 Use of outdoor eating facility Local Laws

63 Permit conditions for Temporary Outdoor Eating Facility Local Laws

64 Removing the facility Local Laws

**DIVISION 13 – BULK RUBBISH CONTAINERS**

65 Placing bulk rubbish containers, naturestrips and council Land Local Laws

66 Container left on a road, naturestrip and council land Local Laws

**DIVISION 14 – OCCUPATION OF THE ROADS**

67 Road occupation Local Laws & Traffic Engineering

68 Reinstatement works Local Laws & Traffic Engineering

69 Impounding of equipment Local Laws & Traffic Engineering

70 Works of service authorities Local Laws & Traffic Engineering

**DIVISION 15 – DEPOSITED SUBSTANCES**

71 Substances from vehicles, animals and livestock Local Laws

72 Removal of substances Local Laws

**DIVISION 16 – EVENTS, STREET PARTIES, STREET FESTIVALS, PROCESSIONS, FIREWORKS, BUSKING, CIRCUSES AND CARNIVALS**

73 Occasional events in council's parks /gardens & recreational Events

74 Community, special and major events Events

75 Permits for street party, street festival, special event or Events

76 Permits for community markets Events

77 Public places Events

78 Cancellation of permit Local Laws & Events

79 Direction to cease event Events

80 Discharge of fireworks Local Laws & Events

81 Discharge of internal fireworks Events

82 Directions to cease fireworks Local Laws & Events

83 Busking and street entertainment Local Laws & Events

84 Directions to cease busking Local Laws & Events

85 Circuses and carnivals Events

**DIVISION 17 - COLLECTIONS ON ROADS**

86 Collections Local Laws

**DIVISION 18 - VEHICLES AND OTHER OBSTRUCTIONS**

87	Derelict and abandoned vehicles	Local Laws
88	Repair of vehicles and storage of vehicles	Local Laws
89	Removal of unlawfully parked and/or obstructing vehicles	Local Laws
90	Other obstructions	Local Laws
91	Authorised officer may mark tyres	Local Laws
92	Parking bay reservation	Local Laws
93	Vehicle use on council land	Local Laws
94	Recreational vehicles and vehicle tracks on private property	Local Laws

**DIVISION 19 - SAFETY, PEOPLE AND PROPERTY**

95	Dangerous and unsightly land	Local Laws
96	Dilapidated buildings	Local Laws & Building
97	Electric fence	Local Laws
98	Boat ramps	Local Laws & Recreation
99	Waterway behaviour	Local Laws & Recreation
100	Code red fire danger rating day	Emergency Management
101	Open air burning	Local Laws & Emergency Management
102	Use of a barbecue	Local Laws
103	Fires for personal warmth	Local Laws & Emergency Management
104	Burning in an incinerator	Local Laws
105	Chimneys/wood stoves	Building/Health & Local Laws
106	Direction to extinguish a fire.	Local Laws & Emergency Management
107	Clothing recycling bins	Local Laws

**DIVISION 20 - THE ENVIRONMENT**

108	Camping	Local Laws
109	Caravans as temporary accommodation	Health
110	Placement of caravans on private property	Local Laws
111	Noise	Local Laws & Health

**DIVISION 21- KEEPING OF ANIMALS**

112	Keeping of animals	Local Laws
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113	Dogs and cats on farming properties	Local Laws
114	Maximum number of dogs and cats on any land	Local Laws
115	Litters of animals	Local Laws
116	Livestock kept unsecured	Local Laws
117	Caged birds	Local Laws & Health
118	Free flying pigeons	Local Laws & Health
119	Animal excrement	Local Laws

**DIVISION 22 - DISPOSAL OF WASTE**

120	Domestic waste	Waste Management & Local Laws
121	Type of domestic waste and recycling receptacles	Waste Management & Local Laws
122	Placement of domestic waste and recycling containers	Waste Management & Local Laws
123	Removal of bins and any spillage	Waste Management & Local Laws
124	Unauthorised use of receptacles	Waste Management & Local Laws
125	Prohibited waste	Waste Management & Local Laws
126	Recycling and hard garbage collection	Waste Management & Local Laws
127	Commercial/industrial waste and waste skips	Waste Management & Local Laws
128	Trade waste and waste hoppers (including recycling bins)	Waste Management & Local Laws
129	Use of transfer stations and landfill sites by residents	Waste Management & Local Laws
130	Use of transfer stations and landfill sites by non residents	Waste Management & Local Laws
131	Conduct at transfer stations/landfill	Waste Management & Local Laws
132	Access to tipping face	Waste Management & Local Laws
133	Dumping of ice chests, trunks or similar containers	Waste Management & Local Laws
134	Scavenging at transfer stations/landfill	Waste Management
135	Transfer station second hand goods shop	Waste Management

**DIVISION 23 - GREY WATER, STORMWATER DRAINS AND PRIVATE DRAINS**

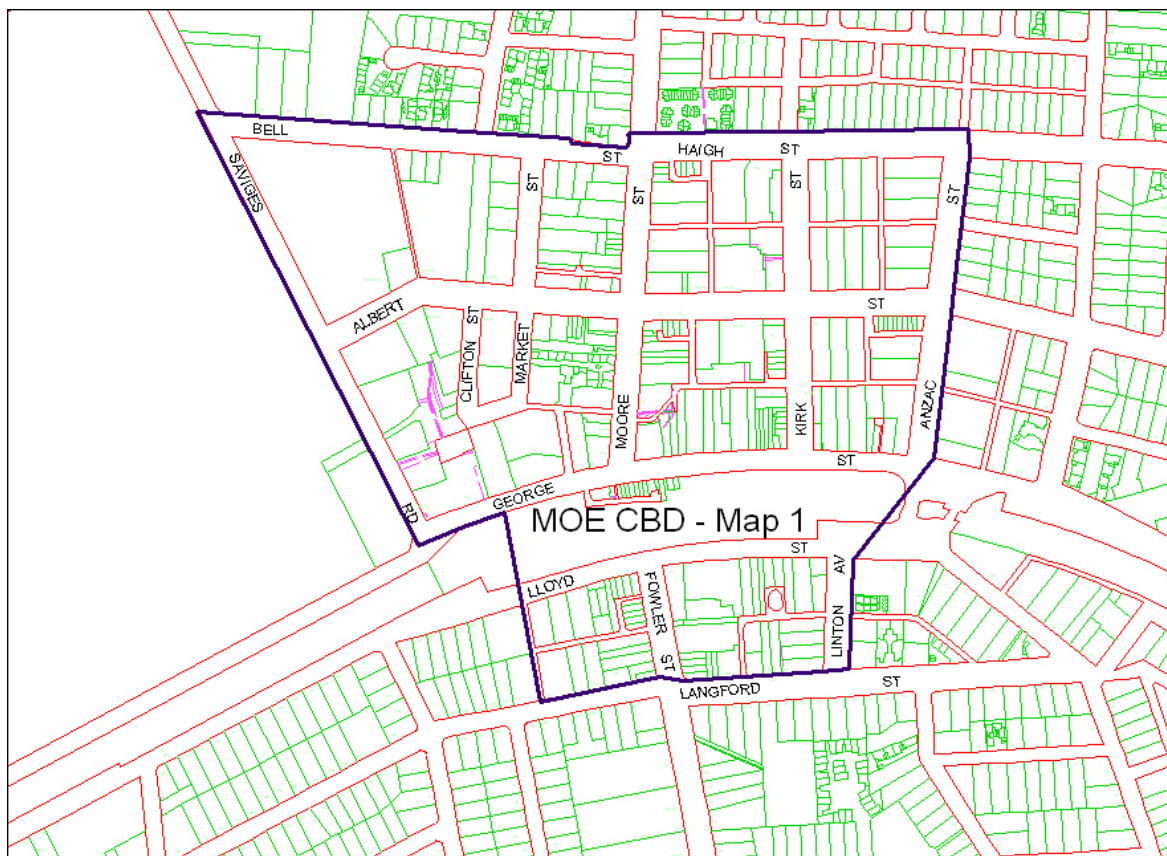
136	Drainage tappings	Local Laws & Health
137	Interference with water course	Local Laws & Health
138	Grey water	Local Laws & Health
139	Stormwater drains	Local Laws & Health
140	Private drains	Local Laws & Health

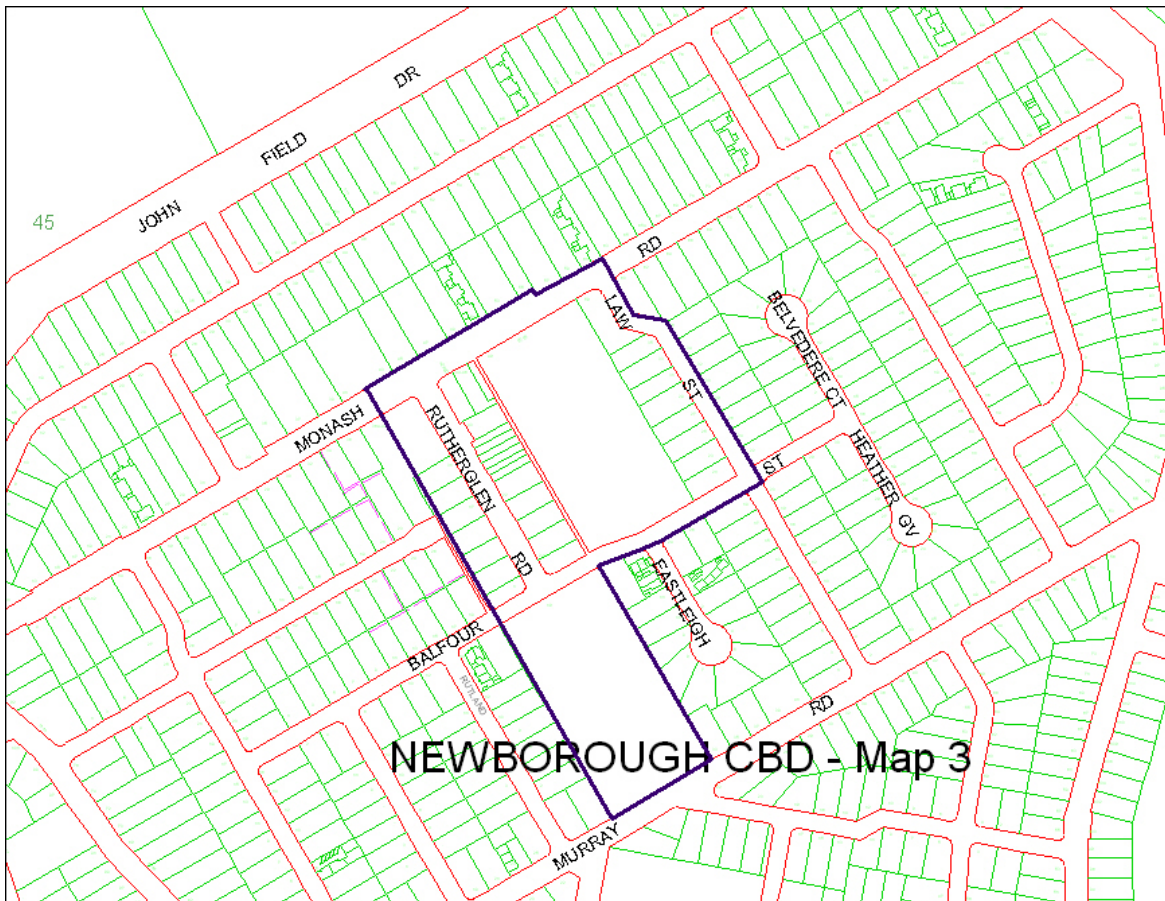
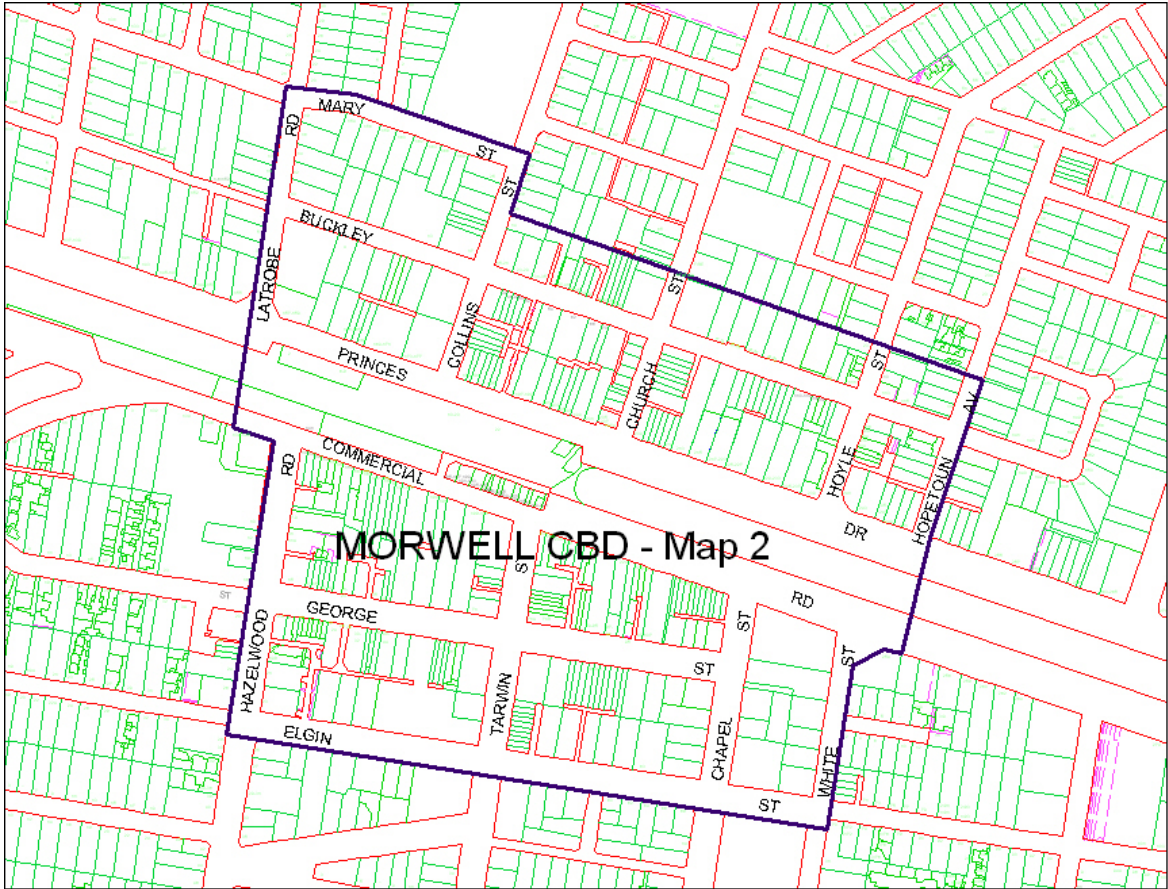


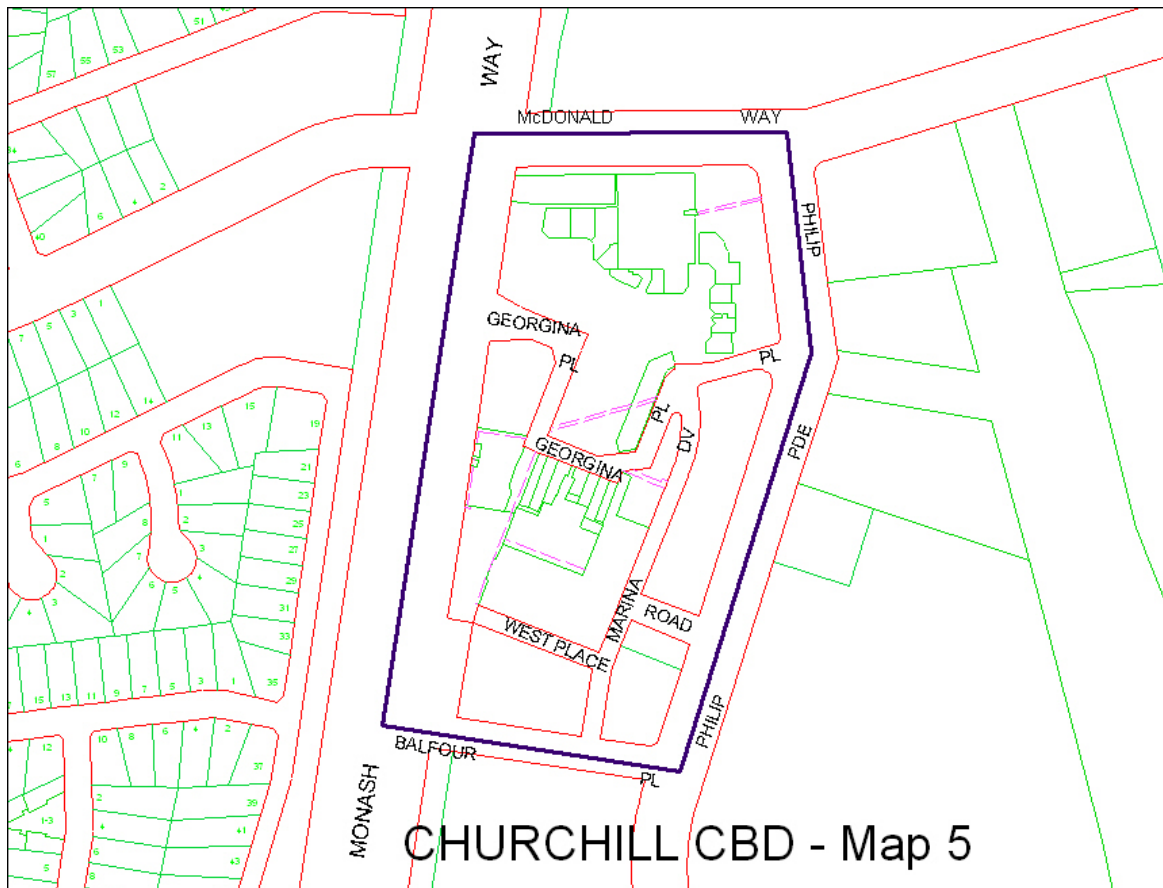
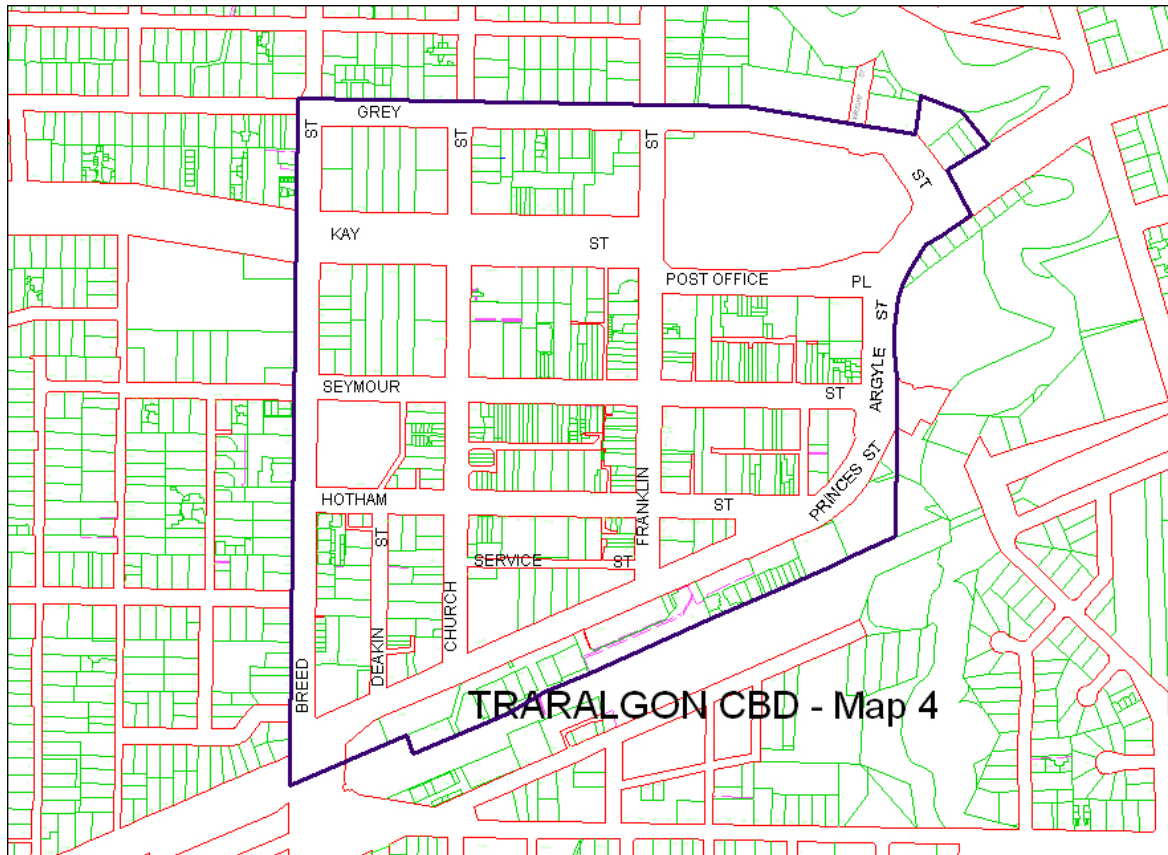


## SCHEDULE 2 (CLAUSE 144) - LATROBE CITY COUNCIL MUNICIPAL PLACES WHERE LIQUOR MAY NOT BE CONSUMED

A person must not consume any liquor, have in his or her possession or under his or her control, any liquor other than in a sealed container, in or on any Municipal place which is located within the area shown on Maps 1, 2,3,4, and 5 contained within the thick dark line and marked with the letters 'CBD', attached to this Schedule, unless the Municipal place is a licensed premises or authorised premises under the Liquor Control Act 1987.







## **PART 10 - CERTIFICATION OF LOCAL LAW**

This is to certify that the writing above contained on 314 pages of paper is a true copy of the Local Law of the Latrobe City Council and that I have informed Council of the legislative requirements necessary to giving validity to such Local Law and as to Council's observance and belief that such requirements have been fulfilled. And I further certify that such Local Law came into force on ##.

The Common Seal of Latrobe City Council )  
was hereunto affixed on this ## day of )  
## in the presence of: )

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Chief Executive Officer

Seal

**LATROBE CITY COUNCIL**

**LOCAL LAW COMMUNITY IMPACT  
STATEMENT**

**COMMUNITY AMENITY  
LOCAL LAW NO. 2  
2015**

*For enquiries please contact  
Coordinator Local Laws*

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***Ph. 1300 367 700***

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## **Local Law Community Impact Statement**

This Local Law Community Impact Statement is designed to assist the community in understanding the proposed Community Amenity Local Law No. 2, 2015 and its intent.

The objectives of the proposed local law are to:

- enhance neighbourhood amenity;
- secure community safety;
- protect public assets;
- provide for the peace, order and good government of the municipal district.

In 2010, the State Government, through Local Government Victoria, released 'Guidelines for Local Laws Manual', listing new best practice guidelines for the creation and enforcement of Local Laws. The key features of these best practice guidelines are summarised as follows:

- the key aim is to improve accessibility, accountability, compliance, consistency, currency, efficiency, enforceability, necessity, and transparency.
- regulation should be viewed as a last resort, because it imposes a burden of compliance on the community and a burden of enforcement on the council.
- the community should be involved from the commencement of the law-making process, not just at the final formal submissions stage under section 223 of the Local Government Act 1989.
- Local Laws should not allow discretions on the part of those administering/enforcing them without clear guidelines being in place.
- where Local Laws rely on other documents such as Council policies or permit conditions, those documents should be as accessible to the public as the Local Laws and, if necessary, incorporated into the Local Laws.
- councils should produce a Local Law Community Impact Statement for all new or materially altered local laws.

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14. Community Consultation
15. Submissions
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## **1. Background**

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

The Local Government Act 1989 allows Council to make local laws to provide for peace, order and good government within the municipal district. Local laws assist Council to meet community expectations by allowing it to manage and respond to a wide range of issues including complaints and the abatement of nuisances.

Latrobe City Council last reviewed Local Law No 2 in 2009, the decision to conduct this review was in response to;

- New State Government (local law development) Guidelines,
- Amended State legislation,
- Inconsistencies and duplications in many existing Local Law provisions,
- Promote greater community interest and ownership.

The proposed Community Amenity Local Law No. 2, 2015 is the result of that review. To ensure that the local law provides effective regulation and is consistent with current and future needs of the community all provisions in the existing local law were reviewed and extensive internal and external consultation was conducted including community focus group sessions.

This review and consultation resulted in inconsistencies and duplications being removed from the local law and new provisions been included to regulate matters that could not effectively be regulated by existing laws. While the proposed local law maintains a similarity with those found in most Victorian municipalities, this local laws has been specifically tailored to meet the needs of the Latrobe City community.

## **2. Existing legislation**

In reviewing the local law Council sought where practicable to remove any clauses that relate to matters addressed under existing legislation, a number of clauses in the current local law have been deleted or amended as a result of this approach.

Section 2 provides details in relation to these matters.

## **3. Overlap / Duplication with Existing Legislation**

During the desk top review and project assurance group meeting many areas were identified in the current local law that overlapped or duplicated existing legislation. It is believed that the provisions of the new local law supplement State legislative provisions without duplicating, overlapping or creating any inconsistencies.

## **4. Overlap with Planning Scheme**

Council does not believe that the new local law overlaps or creates any inconsistencies with the Planning Scheme.

## **5. Risk assessment**

A risk assessment approach was undertaken in the early stages of this review, all local law clauses were subjected to an analysis in relation to possible impacts;

Impacts (risk assessment);

- Protection of amenity.
- Abatement of nuisance.
- Health and safety.
- Prevention of damage.
- Liability of Council.

## **6. Legislative approaches adopted**

The approach adopted in the new local law places a minimum burden on the community. This is evident by the way of:

- Minimum possible number of offence provisions.
- Clear and unambiguous provisions.
- A community engagement and education approach rather than enforcement.
- Wherever possible, provisions for permits rather than prohibition of activities
- Reasonable enforcement procedures including provision for the giving of compliance notices and warnings where appropriate, provision of an internal review process.

## **7. Restriction of competition**

### **National Competition Policy**

In 1996, the Federal Government introduced a National Competition Policy (NCP). This policy aims to ensure that where applicable, competition across and within sectors is fair and balanced. All levels of government are required to comply with this policy and principles it contains. The principles are reproduced below.

Prices oversight of Government Business Enterprises to limit monopoly pricing capacity of public monopolies Competitive Neutrality Policy and Principles to remove any net competitive advantage enjoyed by significant government businesses enterprises by virtue of their public sector ownership Structural Reform of Public Monopolies to introduce greater competition into markets traditionally supplied by public monopolies Legislation Review to review and, where appropriate, reform all legislation and regulation which restricts competition Access to Services provided by means of Significant Infrastructure Facilities to allow third party access to significant infrastructure facilities where required for effective competition in an upstream or downstream market

The new local law does not breach these principles and is considered to be compliant.

## **8. Penalties**

Council considers that the penalties proposed are sufficient to act as a deterrent and to reflect the seriousness of the offences.

## **9. Permits**

The new local law will continue to make use of permits as a means of controlling activities, rather than using prohibition. Council has found that the use of permits is a very effective means of managing activities fairly and reasonably.

## **10. Fees and Charges**

The Local Government Act 1989 and the new Local Law allows Council to set fees and charges annually.

This will be undertaken as part of the budget process.

## **11. Performance standards / measuring Success**

The success of Council's new Local Laws will be monitored and reported annually to the community. The key performance indicators for measuring success will include:

- Number of customer complaints received annually
- The surveyed level of community satisfaction with community safety resulting from the Local Laws
- Number of Local Law breaches detected by Authorised Officers
- Numbers of Compliance notices, Official Warnings and Infringement Notices conducted annually
- Annual number of requests for review of decisions made under Local Laws.

## **12. Comparison with neighboring and like Councils**

The provisions within the proposed Local Law have been compared with the Local Laws of Wellington Shire, Baw Baw Shire, South Gippsland Shire, Greater City of Geelong, City of Ballarat, City of Greater Bendigo, Melbourne City Council, Boroondara City Council, Frankston City Council and Yarra City Council.

The provisions were found to be similar in most cases to the proposed Local Law.

## **13. Charter of Human Rights**

Council conducted a review of its Local Laws in 2009, as a result of the Charter of Human Rights being implemented. In the main that review found the Local Laws to be compliant, however Council adopted some policy and procedure in relation to review of decisions, to ensure that both the spirit and the letter of the Charter were addressed. That policy and procedure has been incorporated into the new Local Laws.

With the inclusion referred to above, Council believes that the new Local Laws appropriately reflect the objectives of the Victorian Charter of Human Rights.

## **14. Community Consultation**

Mach 2 Consulting was engaged by Council to assist the Review of Local Law No 2 (2009) by facilitating a consultation process designed to engage the community in the development of regulatory measures.

In October 2013 two community focus group sessions were held with a key objective to ensure that the community was provided an opportunity to contribute to the development of regulatory measures for Latrobe City. Focusing on this objective, a discussion process was undertaken to provide an opportunity for the community and key stakeholders to express their thoughts on key issues relating to the development of Council's new local law.

## 15. Submissions

Council will give public notice of the proposed local law. Section 223 submissions will be considered at a Special Meeting of Council.

## 16. Major Changes

### **Clause 88 Storage of caravans and trailers on roads.**

Purpose	New clause to provide a provisions to regulate the storage of caravans, trailers, boats or damaged vehicles on roads.
Comment	This provision allows Council to deal with the long term parking/storage of caravans, trailers, boats or damaged vehicles on roads, (longer than 28 days) the storing of these types of vehicles on roads has shown to cause safety concerns and undue obstruction to other road users roads.

### **Clause 94 Recreation vehicles and vehicle tracks on private property.**

Purpose	To prohibit the use of vehicles for recreation or sporting purposes on any private land and to prohibit the construction, maintenance and use of a recreational vehicle track, circuit or course on any property. (does not apply to a registered vehicle moving in or out of premises or to vehicles used for farming purposes).
Comment	This provision supplements the Environment Protection (Residential Noise) Regulations 2008 and intends to stop the nuisance use of recreation vehicles on private property.

### **Clause 96 Dilapidated Buildings (As amended 11 June 2015)**

Purpose	New clause to require property owners to appropriately maintain their buildings; therefore addressing the negative impact on the amenity of the area.
Comment	Unoccupied and neglected buildings have a trend to be subjected to anti-social behaviour resulting in the gradual or rapid destruction of the property.

### **Clause 98 & 99 Waterway behavior**

Purpose New clauses to ensure that boat users in our municipality have a permit and to ensure other water activities are undertaken in a safe manner.

Comment These provisions will supplement the Marine Act and provide enforcement provisions for boat ramp permits and restricted areas.

**Clause 112.2 Keeping of dog and cat permits issued for life of the animal.**

Purpose A permit issued for the keeping of dogs and/or cats under this part shall be granted for the life of the animal. Should an offence or nuisance be proven the permit can be revoked.

Comment Findings of Focus group sessions 3 Oct 2014;  
There is also general support that any written permit for additional dogs be granted for the lifetime of the dog at a lower fee than currently applies or no fee at all. Such permits to be reviewed if any additional dog/s are deemed a nuisance.

**Clause 113 Increase in number of dogs (3 to 4) that can be kept on farming land without a permit.**

Purpose To regulate the number of dogs and cats that can be kept on a property.

Comment Findings of Focus group sessions 3 Oct 2014;  
There is unanimous support for retaining the existing provisions in relation to residential properties i.e. no more than 2 adult dogs without a written permit. In regard to rural (farming) properties it is generally agreed that an owner or occupier be allowed to keep up to four adult dogs without a permit.

**Part 7 New penalties consistent with legislative requirements and appropriate to provision.**

**14.4 ECONOMIC DEVELOPMENT ENGAGEMENT PLAN****General Manager****City Development****For Decision****PURPOSE**

The purpose of this report is to present to Council the Economic Development Engagement Plan Quarterly Report.

**EXECUTIVE SUMMARY**

Council has adopted a range of Key Performance Indicators (KPI) and targets for the Chief Executive Officer (CEO).

Under the strategic direction of Economic Sustainability, Council has determined a target milestone for one of the key performance indicators is to:

*'Develop an engagement plan with Council staff, investors, business and industry leaders to improve information sharing and active communication completed by the end of September 2015'.*

An engagement plan has therefore been developed in line with the established KPI. The engagement plan provides an overview of the activities to be undertaken between Council staff, investors, government and business and industry leaders to support Economic Development in Latrobe City.

In order to track progress towards achievement of the range of initiatives within the Plan, a report outlining work completed during the previous period is prepared on a quarterly basis.

**MOTION****Moved:** Cr Harriman**Seconded:** Cr Gibbons**That Council receives and notes the Economic Development Engagement Plan Quarterly Report.****CARRIED UNANIMOUSLY****DECLARATION OF INTEREST**

No officer declared a conflict of 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 – 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.*

#### 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
- 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

##### *Strategic Direction – Job creation and economic sustainability*

- Provide incentives and work proactively to attract new businesses and industry to locate in Latrobe City.
- Assist existing small and medium enterprises to expand and sustain employment opportunities.
- 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.
- Promote and support the development and economic return of the tourism and events sector.
- Maximise access to Federal and State Government funds for jobs creation.
- Enhance community and business confidence in the future of the local economy.
- Promote research and development for new products and processes to exploit the significant coal resource of the Latrobe Valley.

**BACKGROUND**

Council has adopted a range of Key Performance Indicators (KPI) and targets for the Chief Executive Officer (CEO).

Under the strategic direction of Economic Sustainability, Council has determined a Key Performance Indicator is to “facilitate the economic development of Latrobe City by improving communications between planners, economic development staff and industry, investors, businesses and other relevant stakeholders”. The target milestone for this key performance indicator is to:

*‘Develop an engagement plan with Council staff, investors, business and industry leaders to improve information sharing and active communication completed by the end of September 2015’.*

An engagement plan (attachment one) has therefore been developed in line with the established KPI. The engagement plan provides an overview of the activities to be undertaken between Council staff, investors, government and business and industry leaders to support Economic Development in Latrobe City.

The Economic Development Engagement Plan is broken down into four key areas which include:

- Communications;
- Workshops/Forums;
- Advocacy;
- Meetings;
- Delegations; and
- Projects

Due to the variety of engagement activities to be undertaken, a collaborative approach is essential. A range of teams across Council will contribute to the success of the delivery of this engagement plan including; Economic Development, Regional Strategy, Statutory Planning, Future Planning, Latrobe Regional Airport, Tourism, Infrastructure Planning and Recreation.

Delivery of the engagement program will be reported on throughout the financial year via regular reporting to Council. Additionally, a report for the 2015/16 financial year will be provided encapsulating the results of activities, and will include recommendations to improve the engagement activities.

**KEY POINTS/ISSUES**

The Economic Development Engagement Plan Quarterly Report (attachment two) details the range of engagement activities undertaken from July to September. The report also shows those activities scheduled for the remainder of the year.



## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

Highlights for the July to September 2015 period include:

- Outbound delegation to China comprising of the Mayor, General Manager City Development, Manager Economic Development and Coordinator Events and International Relations. The delegation provided further leveraging opportunities with 13 investment and relationship focussed meetings held in Taizhou, Nanjing, Shanghai and Beijing.
- Delivery/facilitation of six business events for the Gippsland Small Business Festival which were attended by over 200 participants.
- Delivery of three group sessions and individual business mentoring sessions as part of the Growing Gippsland Business Group Training Program.
- Facilitation of one large scale investment enquiry in partnership with the Department of Economic Development, Jobs, Transport and Resources.
- Continued facilitation of major economic development and planning projects including meetings with major project proponents including Ignite Energy.

The range of engagement points between Council and the business community continues to grow. Council's LinkedIn profile was launched in September and has had 1,922 impressions (views). In addition, a Manufacturing Network is currently being established with a successful networking event being held recently, a further meeting of the Network is scheduled for December 2015.

### **RISK IMPLICATIONS**

Risk has been considered as part of this report and it is considered to be consistent with the Risk Management framework. This report is not considered to present a risk to Council.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

The activities outlined in this report are considered able to be accommodated within the 2015/16 economic development departmental budget with the exception of new activities or projects to be explored. These activities will be the subject of separate reports for Council's consideration if additional budget is required.

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

Internal departments within Latrobe City, including Economic Development, Regional Strategy, Statutory Planning, Future Planning, Latrobe Regional Airport, Tourism, Infrastructure Planning and Recreation were engaged in the development of this engagement plan. Regular update meetings will be conducted in the delivery of the plan as activities are undertaken and issues arise for consideration.

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)***Details of Community Consultation / Results of Engagement:*

This report outlines a plan for engagement with the Latrobe City investor, government and business sectors of the community. Its results will be proactively monitored and reported on periodically to Council

**OPTIONS**

Council has the following options:

1. Note the Economic Development Engagement Plan Quarterly Report.
2. Seek further information regarding the Economic Development Engagement Plan Quarterly Report.

**CONCLUSION**

The Economic Development Engagement Plan provides a framework for Council's engagement with industry. The Quarterly Report demonstrates the progress made towards achievement of the range of actions identified within the Engagement Plan.

**SUPPORTING DOCUMENTS**

Nil

**Attachments**

1. Economic Development Engagement Plan
2. Economic Development Engagement Plan Quarterly Report

## **14.4**

### **Economic Development Engagement Plan**

<b>1</b>	<b>Economic Development Engagement Plan .....</b>	<b>339</b>
<b>2</b>	<b>Economic Development Engagement Plan Quarterly Report .....</b>	<b>343</b>

### PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN

ACTIVITY	AUDIENCE	FREQUENCY	RESPONSIBILITY
<b>COMMUNICATIONS</b>			
E newsletter – Planning information (e.g. VCAT outcomes, statistics, etc.)	Developers Consultants	Quarterly	Statutory Planning
E Newsletter – business information	All businesses in LCC	Monthly	Economic Development
Business Connect Magazine	All businesses in LCC	Quarterly	Economic Development
Social media business engagement via LinkedIn.com	Opt-in business interaction via social media	Daily/As needed	Economic Development
<b>WORKSHOPS/FORUMS</b>			
Developers Forum	Developers Consultants Investors	Quarterly	Economic Development Statutory Planning Future Planning
Special Workshops (e.g. MSS)	Developers	As Needed	Future Planning
Project Related Workshops	Developers Investors Consultants	As Needed	Future Planning
Industry Breakfasts	Businesses Industry Councillors	Six-monthly	Economic Development
Industry Roundtables	Businesses Industry Councillors	Quarterly	Economic Development
Call Centre Industry Forum	Existing call centre management	Six-monthly	Economic Development

### PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN

ACTIVITY	AUDIENCE	FREQUENCY	RESPONSIBILITY
<b>ADVOCACY</b>			
Victorian and Australian Government Industry Tours	Relevant Departmental officers	Six-monthly	Economic Development
Canberra Delegations	Federal Parliamentarians	At least six-monthly	Economic Development
Parliamentarian Briefing Notes	State and Federal Parliamentarians	As Needed	Economic Development
Securing our Future Publication	State and Federal Parliamentarians	As Needed	Economic Development
Submissions	State and Federal Government	As Needed	Economic Development
Site visits and meetings with key businesses and industries	State and Federal Government Parliamentarians	As Needed	Economic Development
<b>MEETINGS</b>			
Regular meetings (proactive approach to development)	Developers Consultants Investors	Regular (as needs)	Statutory Planning Future Planning
Targeted industry meetings with key stakeholders	Developers Consultants Investors	One per person per year	Statutory Planning Future Planning Infrastructure Planning Economic Development
Internal Meetings	Economic Development Statutory Planning	Quarterly	Statutory Planning Economic Development
Personal Meetings with large businesses	Large Businesses	Annual	Economic Development

### PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN

ACTIVITY	AUDIENCE	FREQUENCY	RESPONSIBILITY
<b>MEETINGS (CONTINUED)</b>			
Attend Business Associations/Chambers	Small Businesses	Six-monthly	Economic Development
Project Facilitation (e.g. business & Vic Roads)	Businesses Developers	As Needed	Statutory Planning Future Planning Economic Development
Development Assessment Team (e.g. residential subdivisions)	Infrastructure Development, Recreation, Finance, Statutory Planning, Future Planning and Property	Monthly	Future Planning with input from Infrastructure, Recreation, Finance and Statutory Planning
Liaison with government departments	Key government departments	Continually	Statutory Planning Future Planning Economic Development
Quarterly Meetings with Government departments (e.g. Vic Roads, Gippsland Water, WGCMA, RDV)	Key government departments Executive & officer level	Quarterly	Future Planning Statutory Planning
Advisory Committee Meetings (e.g. Gippsland Carbon Transition Committee, Timber Umbrella Group and Industry Forum)	Internal and external Committee Member	Quarterly	Economic Development
Education Provider meetings – meetings on specific opportunities including councillor presentations and council engagement	Federation University, Monash University, Federation Training	Six-Monthly or as required	Economic Development
Airport Meetings	Airport Tenants	Monthly	Latrobe Regional Airport
<b>DELEGATIONS</b>			
Outbound Trade Delegations	Sister Cities in conjunction with cultural exchanges and business opportunities. Other cities/countries where	At least Annually to take advantage of cultural exchanges and	Economic Development/International Relations

**PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN**

	opportunity presents	business opportunities.	
ACTIVITY	AUDIENCE	FREQUENCY	RESPONSIBILITY
<b>DELEGATIONS (CONTINUED)</b>			
Inbound Delegations	Sister Cities	Annually	Economic Development/International Relations
Inbound Delegations	Other countries	As Needed	Economic Development/International Relations
<b>PROJECTS</b>			
Develop a program for targeted engagement with Top 20 businesses in collaboration with state government	Top 20 businesses	Project	Economic Development
Deliver "Streamlining Business Interaction" project to simplify applications and internal referrals for new and existing businesses within Latrobe City.	Business investment enquiries/opportunities	Project	Economic Development
Investigate viability of developing a "shop-front" presence for Economic Development to provide better access to small business	Small business enquiries	Project	Economic Development

### PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN

ACTIVITY	AUDIENCE	FREQUENCY	STATUS
<b>COMMUNICATIONS</b>			
E newsletter – Planning information (e.g. VCAT outcomes, statistics, etc.)	Developers Consultants	Quarterly	Distributed in September to 70 Planning Consultants and Developers.
E Newsletter – business information	All businesses in LCC	Monthly	Distributed each month to 1000 subscribers.
Business Connect Magazine	All businesses in LCC	Quarterly	Winter edition completed and distributed to 3,000 subscribers.
Social media business engagement via LinkedIn.com	Opt-in business interaction via social media	Daily/As needed	Program commenced in September 2015. There have been 1,922 views of the Latrobe City profile to date.
<b>WORKSHOPS/FORUMS</b>			
Developers Forum	Developers Consultants Investors	Quarterly	Next forum scheduled for 9 December.
Special Workshops (e.g. MSS)	Developers	As Needed	Not required from July to September.
Project Related Workshops	Developers Investors Consultants	As Needed	Two workshops were held. (Planning Scheme Review and Live Work Latrobe Strategy).
Industry Breakfasts	Businesses Industry Councillors	Six-monthly	To be held in March 2016.



### PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN

ACTIVITY	AUDIENCE	FREQUENCY	STATUS
Industry Roundtables	Businesses Industry Councillors	Quarterly	To be commenced in line with Economic Development Strategy.
Call Centre Industry Forum	Existing call centre management	Six-monthly	Scheduled for 27 November.
<b>ADVOCACY</b>			
Victorian and Australian Government Industry Tours	Relevant Departmental officers	Six-monthly	Scheduled for 3 December.
Canberra Delegations	Federal Parliamentarians	At least six-monthly	Most recent delegation was conducted in June. Next delegation to be in first quarter 2016.
Parliamentarian Briefing Notes	State and Federal Parliamentarians	As Needed	Ongoing.
Securing our Future Publication	State and Federal Parliamentarians	As Needed	To be reviewed in line with Economic Development Strategy.
Submissions	State and Federal Government	As Needed	Submissions related to the Port of Melbourne and supporting the use of Australian Made paper by government have been prepared.
Site visits and meetings with key businesses and industries	State and Federal Government Parliamentarians	As Needed	From July to September meetings have been conducted with Australian Paper, Morwell Shopfitters. AGL Loy Yang, Lion foods, Carter Holt Harvey, HY Moe Meats, GippsAero Mahindra, Safetech, Ignite Energy and Latrobe Magnesium.
<b>MEETINGS</b>			
Regular meetings (proactive approach to development)	Developers	Regular (as needs)	From July to September six developer/consultant meetings were

### PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN

	Consultants Investors		held.
ACTIVITY	AUDIENCE	FREQUENCY	STATUS
<b>MEETINGS (CONTINUED)</b>			
Targeted industry meetings with key stakeholders	Developers Consultants Investors	One per person per year	From July to September two meetings with the Master Builders Association were held.
Internal Meetings	Economic Development Statutory Planning	Quarterly	Ongoing.
Personal Meetings with large businesses	Large Businesses	Annual	Meetings have been held with AGL Loy Yang, Lion and Australian Paper.
Attend Business Associations/Chambers	Small Businesses	Six-monthly	Officers have attended meetings on a monthly basis.
Project Facilitation (e.g. business & Vic Roads)	Businesses Developers	As Needed	Ongoing. Currently providing business development assistance to V&K Engineering and Gilmour Motors. Four meetings were held with VicRoads and Gippsland Water in relation to progressing development plans.
Development Assessment Team (e.g. residential subdivisions)	Infrastructure Development, Recreation, Finance, Statutory Planning, Future Planning and	Monthly	Three meetings were held.

### PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN

	Property		
Liaison with government departments	Key government departments	Continually	Ongoing. Continual contact with Department of Economic Development, Jobs, Transport and Resources, specifically Regional Development Victoria.
Quarterly Meetings with Government departments (e.g. Vic Roads, Gippsland Water, WGCMA, RDV)	Key government departments Executive & officer level	Quarterly	Four quarterly meetings were held with Vic Roads, Gippsland Water, WGCMA, RDV.
Advisory Committee Meetings (e.g. Gippsland Carbon Transition Committee, Timber Umbrella Group and Industry Forum)	Internal and external Committee Member	Quarterly	The Industry Forum last met in June 2015. A follow up meeting has been held with the Chair. The Timber Umbrella Group met on 28 August. The Gippsland Carbon Transition Committee last met on 8 August.
Education Provider meetings – meetings on specific opportunities including councillor presentations and council engagement	Federation University, Monash University, Federation Training	Six-Monthly or as required	Currently providing assistance and attending meetings related to the Tech School project. Two liaison meetings were also held with Federation University.
Airport Meetings	Airport Tenants	Monthly	Monthly meetings have been held with the Airport Community Committee.
<b>DELEGATIONS</b>			
Outbound Trade Delegations	Sister Cities in conjunction with cultural exchanges and business opportunities. Other cities/countries where opportunity presents	At least Annually to take advantage of cultural exchanges and business	Sister Cities and trade delegation was conducted in September/October.

**PLANNING AND ECONOMIC DEVELOPMENT ENGAGEMENT PLAN**

		opportunities.	
ACTIVITY	AUDIENCE	FREQUENCY	STATUS
<b>DELEGATIONS (CONTINUED)</b>			
Inbound Delegations	Sister Cities	Annually	Three delegations facilitated from July to September.
Inbound Delegations	Other countries	As Needed	Hosted three delegations from China, India and Bangladesh.
<b>PROJECTS</b>			
Develop a program for targeted engagement with Top 20 businesses in collaboration with state government	Top 20 businesses	Project	Commenced.
Deliver "Streamlining Business Interaction" project to simplify applications and internal referrals for new and existing businesses within Latrobe City.	Business investment enquiries/opportunities	Project	Commenced.
Investigate viability of developing a "shop-front" presence for Economic Development to provide better access to small business	Small business enquiries	Project	Commenced.

**14.5 LATROBE PERFORMING ARTS CENTRE CONSULTANCY BRIEF  
TERMS OF REFERENCE FOR AND COMPOSITION OF PROJECT  
REFERENCE GROUP****General Manager****City Development****For Decision****PURPOSE**

This Report seeks Council's adoption of proposed Terms of Reference for the Project Reference Group (PRG) for the Latrobe Performing Arts Centre (LPAC) Business Case and Functional Concept Design Consultancy Brief (see attached).

It also seeks Council's confirmation of and guidance in relation to the composition of that PRG, including the nomination of two (2) or three (3) Councillors, one of whom will act as Chair of the Group.

**EXECUTIVE SUMMARY**

The Invitation to Tender in relation to the LPAC Business Case and Functional Concept Design Consultancy Brief provides for the project to be managed by Council's Manager Arts & Events, supported by a Project Reference Group of key internal and external stakeholders.

Given the pending award of the Tender in late November, it is timely to now adopt the PRG's Terms of Reference and confirm its composition as early as practicable.

**RECOMMENDATION**

That Council:

1. Adopts the attached Terms of Reference for the Project Reference Group (PRG) for the Latrobe Performing Arts Centre (LPAC) Business Case and Functional Concept Design Consultancy Brief; and
2. Confirms the proposed composition of the PRG as outlined in Clause 3 of the Terms of Reference, and
3. Appoints Cr \_\_\_\_\_ as Chair, Cr \_\_\_\_\_ and Cr \_\_\_\_\_ (optional) as members of the Group.

**MOTION**

**Moved:** Cr Harriman  
**Seconded:** Cr Gibbons

**That Council:**

1. **Adopts the attached Terms of Reference for the Project Reference Group (PRG) for the Latrobe Performing Arts Centre (LPAC) Business Case and Functional Concept Design Consultancy Brief; and**
2. **Confirms the proposed composition of the PRG as outlined in Clause 3 of the Terms of Reference, and**
3. **Appoints Cr Harriman as Chair, Cr Sindt and Cr Gibbons as members of the Group.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

No officer declared a conflict of 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 - 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 2: Appropriate, affordable and sustainable facilities, services and recreation*

*Strategic Direction – Develop and maintain community infrastructure that meets the needs of our community.*

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

*Strategic Direction – Strengthen our region by actively leading and encouraging partnerships with other local governments, industry and community agencies*

**BACKGROUND**

On 6 July 2015, Council resolved to:

1. *Adopt the Review of the Latrobe Performing Arts and Convention Centre Feasibility Study and Business Case June 2015.*
2. *Consider the Latrobe Performing Arts and Convention Centre as two separate projects – Latrobe Performing Arts Centre and Latrobe City Convention Centre.*
3. *In relation to the Latrobe Performing Arts Centre:*
  - a. *confirm the site of the existing Latrobe Performing Arts Centre in Traralgon as the site for the new Latrobe Performing Arts Centre*
  - b. *Undertake a detailed business case for the Latrobe Performing Arts Centre including a strong evidence base for the new facility and confirmation of key design elements.*
  - c. *Engage a specialised theatre design consultant to confirm key design elements and complete a functional design brief to detail costs of the Latrobe Performing Arts Centre.*
  - d. *Establish a representative community working group to steer the business case and design for the Latrobe Performing Arts Centre.*
  - e. *Receive a report pending the outcome of the funding submission to the National Stronger Regions Fund – Round 2.*

**KEY POINTS/ISSUES**

The Tender documents provided to the prospective consultants provide for the project to be managed by Council's Manager Arts & Events, supported by a Project Reference Group of key internal and external stakeholders.

Proposed Terms of Reference for the PRG are attached to this Report for Council's consideration and adoption so that the project can move forward.

Council is also required to confirm the proposed composition of the PRG as outlined in Clause 3 of the Terms of Reference, including the nomination of two (2) or three (3) Councillors, one of whom will act as Chair of the Group.

In relation to the composition of the PRG, Councillors may wish to suggest or nominate key community stakeholders who might be approached to participate in the group; or else an open expression of interest process could be conducted.

**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**

Nil in direct relation to PRG and its Terms of Reference.

**INTERNAL/EXTERNAL CONSULTATION**

The PRG will act as a community conduit for feedback on the project as the Consultancy proceeds.

**OPTIONS**

Council may amend the proposed Terms of Reference or composition of the PRG as it sees fit.

**CONCLUSION**

This Report seeks Council's adoption of proposed Terms of Reference for the Project Reference Group (PRG) for the Latrobe Performing Arts Centre (LPAC) Business Case and Functional Concept Design Consultancy Brief and its guidance in relation to the composition of that PRG.

Once these matters are resolved the Project Reference Group can be constituted and the Consultancy Brief can proceed as planned.

**SUPPORTING DOCUMENTS**

Nil

**Attachments**

1. LPAC Project Reference Group Terms of Reference
2. LPAC Business Case and Functional Concept Design Consultancy Brief



## **14.5**

### **Latrobe Performing Arts Centre Consultancy Brief Terms of Reference for and Composition of Project Reference Group**

- |          |   |            |
|----------|---|------------|
| <b>1</b> | <b>LPAC Project Reference Group Terms of Reference .....</b>                        | <b>353</b> |
| <b>2</b> | <b>LPAC Business Case and Functional Concept Design<br/>Consultancy Brief .....</b> | <b>359</b> |

**Latrobe Performing Arts Centre –  
Business Case and Functional  
Concept Design**

**Project Reference Group  
*Terms of Reference***



October 2015



## CONTENTS:

1. Preamble
2. Objectives
3. Membership
4. Length of appointment
5. Attendance at meetings
6. Chair
7. Meeting schedule
8. Meeting procedures
9. Voting
10. Minutes of the Meeting
11. Authority and Reporting
12. Administration



## 1. Preamble

- 1.1. The group shall be known as the **Latrobe Performing Arts Centre Project Reference Group** (hereinafter referred to as the "Project Reference Group").
- 1.2. This group will act in accordance with Latrobe City Council's adopted Councillor Code of Conduct.
- 1.3. This group will act in accordance with Latrobe City Council's adopted **Project Governance Policy**. As per the policy, the function of a Project Reference Group is:
  - 1.3.1. *A group of key stakeholders who are to be engaged at key points throughout the project. Must include at least one Councillor and other critical community and agency stakeholders as identified [that] will be impacted by the project. Must not direct Council officers or consultants in the conduct of the project and does not have authority to approve any stages of a project or to change the scope of a project.*
- 1.4. These Terms of Reference are to be adopted by Latrobe City Council.

## 2. Objectives

- 2.1. To provide input into the development of the Latrobe Performing Arts Centre Business Case and Functional Concept Design.
- 2.2. To assist in the business case/design input and inclusion of community consultation feedback and suggestions.
- 2.3. To be a key reviewer of draft documentation during the development of the Latrobe Performing Arts Centre Business Case and Functional Concept Design.

## 3. Membership

- 3.1. Composition of the Committee
 

The Latrobe Performing Arts Centre Project Reference Group shall comprise representatives including:

  - 3.1.1. Two to Three [2-3] Councillors; including at least one from the respective ward (one Councillor would be nominated Chair);
  - 3.1.2. Respective Council Officers (includes Manager Arts/Events, project leader, Major Projects officer and other officers as required); and
  - 3.1.3. Project design consultant and/or theatre design consultant.
  - 3.1.4. Key community stakeholders of the project (to be confirmed)



#### **4. Length of appointment**

- 4.1. The Project Reference Group shall be in place until the finalisation of the Latrobe Performing Arts Centre project - Business Case and Functional Concept Design. The appointment of members to the Project Reference Group shall be from the date of appointment by Council until the date that the final reports are adopted by Council.

#### **5. Attendance at meetings**

- 5.1. The project manager will reschedule the Project Reference Group meeting to an alternate time if 2 or more Councillors are not available to attend.

#### **6. Chair**

- 6.1. A nominated Councillor shall chair the meetings. If the Chair is unavailable another Councillor will act as chair for that meeting.

#### **7. Meeting schedule**

- 7.1. Project Reference Group meetings will be held as required. These meetings will be scheduled once members are appointed.
- 7.2. The duration of each meeting should not exceed two hours.

#### **8. Meeting procedures**

- 8.1. Meetings of the Project Reference Group are not open to the public; however non-members may attend at the invitation of the Project Reference Group.
- 8.2. Councillors not appointed to the Project Reference Group are openly invited to attend any meetings.
- 8.3. Documentation provided in the meeting will remain confidential. The Project Manager will indicate if draft documentation is available for public consultation.

#### **9. Voting**

- 9.1. There will be no official voting process. Majority and minority opinions will be presented to Latrobe City Council if necessary through usual reporting methods.

#### **10. Minutes of the Meeting**

- 10.1. The Project Manager or authorised agent (e.g. administration officer) shall take the Minutes of each Project Reference Group meeting.



- 10.2. The Minutes shall be in a standard format including a record of those present, apologies for absence, a list of agreed actions and key discussion points of the Project Reference Group.
- 10.3. The Minutes shall be stored in the Latrobe City Council corporate filing system (currently Latrobe Content Management System.)
- 10.4. A copy of the Minutes shall be distributed to all Project Reference Group members and the Latrobe Performing Arts Project Board within 5 business days of the close of each Project Reference Group meeting. The minutes will be located in the relevant Councillor Committees Folders.

#### **11. Authority and Reporting**

- 11.1. The Project Reference Group's authority sits within a project governance structure and Latrobe City Council's adopted Project Governance Policy.
- 11.2. All recommendations, proposals and advice regarding community engagement for the project must comply with *Council's Community Engagement Plan 2010-2014* and any statutory land-use planning legislative and policy guideline requirements.

#### **12. Administration**

- 12.1. The Project Manager or an authorised agent (e.g. administration officer) will receive and distribute communications to the Project Reference Group, arrange meeting venues and prepare and distribute meeting agendas.



**INVITATION TO TENDER NO: LCC-302**

**LATROBE PERFORMING ARTS CENTRE – BUSINESS  
CASE AND FUNCTIONAL CONCEPT DESIGN**

TENDERS CLOSE: **2:00 pm on Thursday, 19 November, 2015**  
Corporate Headquarters, 141 Commercial Road, Morwell

All questions are to be submitted via the e-tendering portal no later than 3 business days prior to the tender closing.

## TABLE OF CONTENTS

This invitation to tender is divided into the following sections:

**Tender Information and Conditions of Tendering** **Page 3**

This section explains the rules governing the content and submission of tenders and the conduct of the tender process.

**General Conditions of Contract** **Page 12**

This section sets out the terms and conditions which will apply when a contract is awarded and appears in the Contract documents when awarded.

**Specification - Services** **Page 18**

This section details the work required to be carried out under the Contract and appears in the Contract documents when awarded.

**Tender Form and Tender Form Schedules** **Page 31**

This section contains pricing schedule/s and questionnaires to be filled out by the Tenderer and constitutes the Tenderer's submission.



## **LATROBE CITY COUNCIL**

### **LATROBE PERFORMING ARTS CENTRE – BUSINESS CASE AND FUNCTIONAL CONCEPT DESIGN**

**INVITATION TO TENDER NO: LCC-302**

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### **TENDER INFORMATION AND CONDITIONS OF TENDERING**

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## LATROBE CITY COUNCIL

### INVITATION TO TENDER NO: LCC-302

#### 1. NATURE OF CONTRACT

##### 1.1 FORM OF CONTRACT

Latrobe City Council is seeking tenders for the performance of work under an agreement (which in the remainder of this document is referred to as "**the Contract**").

##### 1.2 WORK TO BE PERFORMED

The works / services to be provided under the Contract are to develop in collaboration with Council and the community of Latrobe City a Latrobe City Performing Arts Centre Business Case and Functional Concept Design. The works / services will involve but is not limited to:

1. **Latrobe Performing Arts Centre Business Case** - A full business case which will outline the future business model of a performing arts centre.
2. **Latrobe Performing Arts Centre Functional Concept Design** - The functional concept design will provide a base to confirm the direction of the project to all stakeholders and will be used as a tool to seek financial support for the project.

Tenderers should ensure that they read the Contract fully to ascertain the nature of the work to be performed and the terms on which it is to be performed, as the agreement will be evidenced solely by the Contract.

##### 1.3 LOCATION OF WORKS

The works / services under the Contract are to be performed at location of choice and within Latrobe City.

##### 1.4 TENDERERS TO VISIT SITE

Tenderers are advised and expected to visit the Municipality before submitting a tender, and to ascertain for themselves the actual extent and nature of the work to be done, as the Latrobe City Council will not entertain any claim whatsoever on account of a failure to do so.

##### 1.5 ENQUIRIES

All questions are to be submitted via the e-tendering portal no later than 3 business days prior to the tender closing.

Latrobe City Council restricts all questions and enquiries to the tenderer and its representatives. Enquiries through potential sub-contractors and suppliers must be directed through the tenderer.

## **2. SUBMISSION OF TENDERS**

### **2.1 TENDER FORM**

The Tender Form Schedules attached to the Tender Form and other information or documents listed in the Tender Form are to be completed and will constitute the tender.

### **2.2 FORM OF TENDER SUBMISSIONS**

2.2.1 Electronic tender lodgement via Latrobe City Council's e-tendering portal [www.latrobe.vic.gov.au/tenders](http://www.latrobe.vic.gov.au/tenders) is to be utilised by tenderers to lodge submissions no later than the closing time and date.

**OR**

2.2.2 Tender submissions may be lodged on a CD (compact disc) or a USB memory stick in either Microsoft Word or Acrobat Reader format and be placed in the Tender Box as per Clause 2.3.

**OR**

2.2.3 Hardcopy tender submissions may be lodged in one original unbound / loose leaf copy (i.e. **no staples, no hole punching, no binding**) as per Clause 2.3.

### **2.3 PLACE TO LODGE CD / USB OR HARDCOPY TENDER SUBMISSIONS**

CD / USB or hardcopy tender submissions are to be addressed as follows and be placed in the Tender Box, no later than the closing time and date, at the Latrobe City Council's Corporate Headquarters, 141 Commercial Road, Morwell.

Tender Closing Time and Date: **2:00 pm, Thursday, 19 November, 2015**

#### Tender Box

ITT No: LCC-302 Latrobe Performing Arts Centre – Business Case and Functional Concept Design  
Latrobe City Council  
141 Commercial Road  
MORWELL VIC 3840

## **3. ADDENDA**

Addenda to the tender documents may be issued prior to the closing of tenders for the purposes of clarifying the documents or to reflect modifications in the specification or to the contract terms. If a tenderer is in doubt as to the true meaning of any part of the tender documents, the tenderer should notify the Contact Officer and obtain clarification of the tender documents that will be made only by formal addendum to the tender documents. Latrobe City Council will not be responsible for any erroneous interpretation. Each addendum issued will be distributed to each person or organisation to whom or which a set of tender documents has been issued.

All addenda issued will become part of the Tender Documents and ultimately form part of the Contract. As part of their submission, tenderers are required to list the addenda that they received during the tender period and acknowledge that their tender has been prepared having regard to those addenda.

#### **4. ACCEPTANCE OF TENDERS**

##### **4.1 LATROBE CITY COUNCIL NOT BOUND TO ACCEPT TENDER**

Latrobe City Council is not bound to accept the lowest or any tender.

##### **4.2 LATE TENDERS**

Tenders received after the time and date specified will not be accepted.

However, if there is explicit and conclusive evidence that late lodgement resulted from mishandling by the Latrobe City Council, a Tender will be deemed to have been lodged before the Closing Time.

Reasons such as late delivery of submissions by Australia Post, by courier or any other carrier shall not be deemed sufficient reason for reconsideration.

##### **4.3 LATROBE CITY COUNCIL PROPERTY**

Tenders, once submitted become the property of the Latrobe City Council. Tenderers license the Latrobe City Council to reproduce the whole or any part thereof, of the tender for the purposes of evaluation.

##### **4.4 NEGOTIATION**

Latrobe City Council may accept or reject any tender, or negotiate with any tenderer regarding the terms of any tender submitted.

##### **4.5 STATUS OF TENDER**

Each tender constitutes an offer by the tenderer to the Latrobe City Council to provide the services required under, or otherwise to satisfy the requirements of the Specification on the Terms and Conditions of the proposed contract (subject to the Statement of Compliance). Latrobe City Council reserves the right to accept a tender in part or in whole.

##### **4.6 NON-CONFORMING TENDERS**

Any tenderer failing to comply with and / or containing provisions contrary to the tender documents will be considered non-conforming and may be rejected at the discretion of the Latrobe City Council.

Latrobe City Council reserves all rights to consider and accept non-conforming tenders, or to reject them.

##### **4.7 WITHDRAWAL OF TENDERS**

No tender must be withdrawn prior to the expiration of sixty (60) days following the date of the closing of tenders unless the Latrobe City Council will agree to such withdrawal in writing.

##### **4.8 TENDERS BY FACSIMILE OR EMAIL**

Tenders submitted by facsimile or email will not be accepted.

## **5. ADDITIONAL INFORMATION AND DOCUMENTATION**

### **5.1 QUESTIONNAIRE AND SUPPORTING DOCUMENTATION**

Tenderers are required to complete the questionnaire contained in the Tender Form and submit it as part of their tender. They should also supply any information or documents specified in the Tender Form.

### **5.2 INFORMATION FOR EVALUATION**

Tenderers may submit any further information considered relevant to their tender. Latrobe City Council may require a tenderer to submit additional information concerning its tender or to personally discuss its tender before any tender is accepted.

Should a tenderer fail to:

- submit the additional information so required by; or
- attend personally to discuss its tender at,

the date and time stipulated by the Latrobe City Council, its tender may not be further considered.

### **5.3 RECTIFICATION OF ERRORS AND OMISSIONS**

Latrobe City Council reserves the right to:

- check tenders for errors and omissions;
- by agreement with a tenderer, amend a tender price or rate submitted by a tenderer to remedy the effect of any errors or omissions in the calculation of the tender price or rate; and
- by agreement with a tenderer, otherwise amend the tender of the tenderer to remedy the effect of any errors or omissions.

## **6. NOTIFICATION OF TENDERERS**

### **6.1 NOTIFICATION OF SUCCESSFUL TENDERER**

The successful tenderer will be notified in writing of the acceptance of their tender.

The notification of the acceptance of the tender will create a Contract between the parties which includes the Tender Submission.

The successful tenderer must execute and return to the Latrobe City Council the formal agreement in the form of the Contract, including any documentation as requested, within seven (7) days of its receipt from the Latrobe City Council.

### **6.2 NOTIFICATION OF UNSUCCESSFUL TENDERERS**

All tenderers will be notified in writing of the Latrobe City Council's decision relating to the acceptance or otherwise of tenders.

Latrobe City Council is not obliged to give reasons for its decision and no negotiations or correspondence concerning the decision will be entered into. Latrobe City Council's written notification will be final.

## **7. PROBITY OF TENDER PROCESS**

### **7.1 STATUTORY DECLARATION**

A Statutory Declaration included in the Tender Form must be made by a person authorised to make such a declaration on behalf of the tenderer and submitted with its tender.

### **7.2 IMPROPER ASSISTANCE**

Tenderers must not approach, or request any other person to approach, any Councillors or members of staff of the Latrobe City Council individually to solicit support for their tenders or otherwise seek to influence the outcome of the tender process. The tender of any tenderer who seeks to canvass a Councillor or staff member individually will not be considered.

Enquiries relating to clarification of the tender documents are appropriate and acceptable and such enquiries should only be directed to the named Contact Person or their nominated representative.

## **8. DISCLOSURE**

Latrobe City Council will not disclose tender contents and tender information except:

- a) as required by law;
- b) for the purposes of investigation by the Australian Competition and Consumer Commission (ACCC) or any similar Government authority;
- c) to external consultants and advisors engaged by the Latrobe City Council to assist with the tendering process; and
- d) general information from tenderers required to be disclosed by Government policy.

Tenders will be treated as confidential.

## **9. WORKCOVER COSTS**

Any tenderer who submits a tender and who does not provide evidence of WorkCover may have a cost added to their tender price, to cover the WorkCover liability that the Latrobe City Council will incur in these cases.

## **10. GOODS AND SERVICES TAX (GST)**

Tenderers are to price the goods or services, exclusive of GST, that is, the price is not to include GST. Should the supply of any goods or services under the Contract be subject to GST, the amount of the GST is to be shown separately on a complying tax invoice.

## **11. PREPARATION AND PRESENTATION OF TENDER AT OWN RISK**

Latrobe City Council may or may not proceed with this Contract. A decision upon whether the Latrobe City Council will proceed with this Contract will not be known until tenders are received. If the Latrobe City Council decides to proceed with this Contract or one similar, the Latrobe City Council will make a formal Contract with the successful tenderer/s. Prior to the actual drafting of the final agreement or Contract, the Latrobe City Council is unable to make any commitment to you as a tenderer.

## **12. TENDERERS DECISION TO PARTICIPATE**

Latrobe City Council will not be responsible for, nor pay for any expense or loss that may be incurred by the tenderers in the preparation of their tender.

## **13. NO COLLATERAL CONTRACT**

The submission of a tender by a tenderer will not give rise to any contract governing, or in any way concerning, the tender process, or any aspect of the tender process, for the Contract. Latrobe City Council expressly disclaims any intention to enter into any such contract.

## **14. ANTI-COMPETITIVE CONDUCT**

Tenderers and their respective officers, employees, agents and advisors must not engage in any collusion, anti-competitive conduct or any similar conduct with any other tenderer or any other person in relation to the preparation, content or lodging of their tender.

## **15. BENEFIT TO THE REGIONAL ECONOMY**

One of the goals of the Latrobe City Council Plan is to reduce unemployment – that is, to provide benefit to the regional economy. Consequently, the benefit to the regional economy that might be expected from tenders for this work will be taken into account during the evaluation process.

## **16. AUSTRALIAN / NEW ZEALAND (ANZ) CONTENT**

Latrobe City Council is committed to maximising the Australian industry content in this Contract. Tenderers are encouraged to explore the feasibility of including equipment of ANZ origin and to use the expert services of the Industrial Supplies Office (ISO). Information regarding the ISO is contained on the page at the end of this section.

## **17. OH&S MANAGEMENT SYSTEM**

Tenderers are required to demonstrate to the Latrobe City Council that they have an appropriate OH&S management system which includes:

- A documented OH&S Policy
- Legislative requirements compliance
- Job safety analysis / risk assessment / safe work method statements
- Relevant formal and informal safe work systems and procedures for managing OH&S risks
- Relevant training and induction details including construction induction training
- Communication schedules
- Accident and emergency procedures.
- Any other OH&S requirements specified by the Council

Tenderers must respond to all questions contained in the questionnaire in Tender Form Schedule 5. The completed questionnaire must be included with their tender submission.

## **18. EVALUATION CRITERIA**

The following criteria will be used to determine the successful tenderer:

- Price
- Capacity
- Track Record
- Time Performance
- Occupational Health and Safety
- Benefit to the Regional Economy
- Employment of Trainees/Apprentices





## Industry Capability Network (Victoria) Limited

### Import Replacement & Buy Local Statement

#### Local Industry Objective

The Latrobe City Council, where practical, will give substantial consideration to contracts or purchases of goods, machinery or material manufactured in Australia or New Zealand (ANZ), or services that have a high level of local value-added content.

#### Requirement on Council, Subcontractors or Suppliers

To facilitate this objective, the Latrobe City Council and the Industry Capability Network (Victoria) Limited, (ICN Victoria) has entered into a Memorandum of Understanding to enable ICN Victoria to assist council, its subcontractors and suppliers to identify ANZ sources of supply for goods and services that may otherwise be imported.

ICN Victoria and Latrobe City Council support and encourage "Buy Local" procurement and will assist subcontractors and suppliers with this endeavor.

#### ICN Victoria Service

ICN Victoria provides buyers with a free service to identify suppliers and service providers both locally and nationally.

The ICN facilitates business relationships by matching local industry capability with business opportunities in order to retain jobs and wealth in Australia.

#### How Purchasers can benefit

The real incentive for purchasers is through ICN they may be able to significantly reduce their purchasing costs. Additionally, ICN is also actively assisting to engage community, local SME's and regional project managers.

*"In 2007/08 ICN Victoria was able to assist buyers replace \$129.7 million of imported products or services with alternative competitive Australian sources of supply, \$21.6 million in exports and \$52.6 million in new local business development or local sourcing".*

#### Economic Indicators

By identifying competitive sources of supply we all win. Economic indicators show that for every \$1 million of successful new or retained business within Australian manufacturing industry, including the flow-on effects to increased household consumption, has the following effects:

- 17 Full-time jobs are created
- \$600,800 worth of tax revenue is generated
- \$1,772,500 worth of gross value-added is generated; and
- \$170,000 worth of welfare benefits is saved.

#### How to use the ICN

Purchasers only need to provide ICN with details of items currently being imported, or proposed for importing, or the local services required.

- ICN advises businesses of local and international opportunities that match their capability.
- Using its comprehensive national database, ICN can assist purchasers and project managers locate competitive local suppliers of products and services.
- ICN supports local industry involvement in major government projects through the Victorian Industry Participation Policy (VIPP).

#### Further Information

ICN Victoria  
Bob Stevenson, Regional Manager – Gippsland  
T: 03 5176 1901  
F: 03 5176 1489  
M: 0403 195 512  
E: [bstevenson@icnvic.org.au](mailto:bstevenson@icnvic.org.au)

## **LATROBE CITY COUNCIL**

### **LATROBE PERFORMING ARTS CENTRE – BUSINESS CASE AND FUNCTIONAL CONCEPT DESIGN**

**INVITATION TO TENDER NO: LCC-302**

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### **GENERAL CONDITIONS OF CONTRACT**

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The general conditions of this Contract are as per Australian Standard AS4122–2010 General Conditions of Contract for Consultants.

An Annexure to this standard is included in the contract documents as a summary of the conditions; however the Contractor should be familiar with the conditions outlined in AS4122–2010.



<i>Item 11</i> (clause 10.6)	The time for payment is no later than:	30 days after the date of submission of a correct claim for payment
<i>Item 12</i> (clause 10.9)	The rate of interest for overdue payment is:	Nil
<i>Item 13</i> (clause 12.1)	Alternative 1: The date or the period after commencement of the <i>Contract</i> , by which the <i>Services</i> must be completed is:  Alternative 2: Under the program attached	Alternative 1: Date: February 2016  Alternative 2: see attached consultancy brief (If nothing stated or attached then within a reasonable time)
<i>Item 14</i> (clause 112.3(c))	Other causes of delay for which the <i>Consultant</i> may claim an extension of time:	
<i>Item 15</i> (clause 13.2)	The <i>Approvals</i> to be obtained by the <i>Consultant</i> are:	
<i>Item 16</i> (clause 18)	The key personnel are:	Name: <i>Services</i> to be performed:
<i>Item 17</i> (clause 19.2)	Existing conflicts of interest:	
<i>Item 18</i> (clause 21.3)	Copyright and other <i>Intellectual Property Rights</i> , the Alternative that applies is:	Alternative Identify whether Alt 1 or 2 applies
<i>Item 19</i> (clause 21.3 Alternative 2)	List excluded <i>Intellectual Property Rights</i> :	
<i>Item 20</i> (clause 21.4 Alternative 2)	The additional amount payable to the <i>Consultant</i> for granting of <i>Intellectual Property Rights</i> to the <i>Client</i> is:	\$
<i>Item 21</i> (clause 22.1)	Does clause 22 ( <i>Moral Rights</i> ) apply?  If yes, the author is:	Yes      No ( <i>strike through as relevant</i> )  example: name of the <i>Consultant</i>
<i>Item 22</i> (clause 23.1)	The following <i>Documents</i> are confidential:	
<i>Item 23</i> (clause 24.4)	Maximum period for which <i>Client</i> may suspend <i>Services</i> at any one time, after which the <i>Consultant</i> may terminate:	
<i>Item 24</i> (clause 29.1)	The <i>Consultant's</i> liability is limited to:	\$10 Million
<i>Item 25</i> (clause 30.2)	The amount of public liability insurance is:	\$10 Million
<i>Item 26</i> (clause 30.4)	The amount of the professional indemnity insurance is:	\$5 Million
<i>Item 27</i> (clause 30.4)	The professional indemnity insurance must be maintained for the following period:	5 years after the date of completion of the <i>Services</i>
<i>Item 28</i> (clause 30.7)	The <i>Client</i> must effect the following insurances and maintain them for the following periods:	Insurance:                      Period: ..... ..... .....
<i>Item 29</i> (clause 33.1)	The address for the service of notices is:	Refer to <i>Item 1</i> and <i>Item 2</i>
<i>Item 30</i>	The law governing this <i>Contract</i> is:	Victoria

(clause 35)

*Item 31*

Has this *Contract* been amended from its  
original form?

Yes      No  
(*strike through as relevant*)

**Part B**

Annexure to the Australian Standard General Conditions of Contract for Consultants  
AS 4122–2010

**DELETIONS, AMENDMENTS AND ADDITIONS**

1. The following clauses or parts of clauses have been deleted from the General Conditions in AS 4122—2010:

.....  
.....  
.....  
.....  
.....

2. The following clauses have been amended and differ from the corresponding clauses in AS 4122—2010:

.....  
.....  
.....  
.....  
.....

3. The following clauses have been added to those of AS 4122—2010:

.....  
.....  
.....  
.....  
.....  
.....

## **LATROBE CITY COUNCIL**

### **LATROBE PERFORMING ARTS CENTRE – BUSINESS CASE AND FUNCTIONAL CONCEPT DESIGN**

**INVITATION TO TENDER NO: LCC-302**

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### **SPECIFICATION - SERVICES**

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  2. OBLIGATIONS TO PROVIDE SERVICES
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  9. CONFIDENTIALITY
  10. CONTRACT PERFORMANCE REVIEW
- SCHEDULE 1

## **1. DEFINITIONS**

In this Specification, unless inconsistent with the context, the following terms have the meanings indicated:

"Services" means the work as described in the Specification – Services Schedule 1.

## **2. OBLIGATION TO PROVIDE SERVICES**

- 2.1 The Contractor will provide Services in accordance with this Specification during the Contract Term when directed to do so by the Supervisor.
- 2.2 It is acknowledged and agreed that the Latrobe City Council is under no obligation:
- 2.2.1 to obtain any or all of the Services from the Contractor; or
  - 2.2.2 to obtain the Services exclusively from the Contractor.

## **3. TIME**

The Services must be provided expeditiously and within any time limits that the Supervisor may reasonably specify.

## **4. QUALITY**

It is a term of the essence of this Contract that all Services supplied by the Contractor to the Latrobe City Council will:

- 4.1 be in the form described; and
  - 4.2 conform to all other criteria specified,
- in the Specification – Services Schedule 1.

## **5. DOCUMENTS**

Latrobe City Council will, prior to any date on which the Contractor has been directed to commence providing the Services, supply to the Contractor any plans, drawings, specifications or other documents ("the documents") reasonably necessary to enable the Services to be provided. The documents are to be returned to the Latrobe City Council by the Contractor at the conclusion of the provision of any Services or on demand by the Supervisor.

## **6. REJECTION OF SERVICES**

- 6.1 The Supervisor may determine if Services supplied by the Contractor comply with the requirements of this Specification.
- 6.2 If the Supervisor determines that any Services do not comply with this Specification under clause 6.1, the Supervisor may accept or reject the Services.
- 6.3 The Contractor must immediately remedy any faults in Services that have been rejected by the Supervisor under clause 6.1 if directed to do so by the Supervisor.

- 6.4 Any acceptance of Services by the Supervisor under clause 6.2 will only relieve the Contractor from the obligation to remedy faults in the Services concerned. It will not relieve the Contractor from any other obligations under this Contract or negate any express or implied warranty or condition in respect of the Services.
- 6.5 If any Services which do not comply with this Specification are accepted by the Supervisor under clause 6.2, there will be a deemed Variation or the same as that specified in the Specification – Services Schedule 1.
- If the quality of the Services is inferior, an amount determined by the Supervisor as reflecting the difference in the value between the Services supplied and the Services specified in Schedule 1 will be deducted from any payments to the Contractor in respect of the Services concerned. Alternatively the Contractor must pay it on demand to the Latrobe City Council if payment has already been made for the Services concerned.
  - If the quality of the Services is the same or is superior, no additional amount will be payable by the Latrobe City Council to the Contractor in respect of the Services concerned unless otherwise agreed by the Latrobe City Council.
- 6.6 The Contractor will pay to the Latrobe City Council on demand the amount of any loss or damage caused to the Latrobe City Council or for which the Latrobe City Council may become liable due to any Services not being in accordance with any of the requirements of this Specification. The Supervisor will determine the amount of any loss, damage or liability incurred by the Latrobe City Council for the purposes of this clause.
- 6.7 The Supervisor will exercise any powers conferred on the Supervisor, including the making of any determination on any issue, under clauses 6.1, 6.5 and 6.6 reasonably and independently of the parties.

## **7. PAYMENTS**

A debt arising for any goods or services supplied under this Contract, and upon which a GST liability arises, will not be recognised until the Contractor provides a complying tax invoice, in accordance with GST regulations.

Latrobe City Council will pay the Contractor at the rates specified in the Tender for the goods or services provided, plus any applicable GST, following the receipt of a complying tax invoice.

## **8. INTELLECTUAL PROPERTY**

The Contractor agrees to indemnify and hold harmless the Latrobe City Council from and against any action, claims, losses, damages, penalties or demands arising from actual or alleged infringements in the provision of the Services of any letters patent, trademarks, copyright, design, confidential information or the like whether granted by the Commonwealth of Australia, a foreign State or the common law.

## **9. CONFIDENTIALITY**

All persons including Tenderers and Contractors must not release any document or article or divulge any information gained in the course of the contract to the media or any person without the prior written approval of the Latrobe City Council.

## **10. CONTRACT PERFORMANCE REVIEW**

During the course of the Contract, and upon its completion, the performance of the Contractor will be reviewed. This assessment will be used to determine the eligibility of the Contractor for future works with the Latrobe City Council.

Latrobe City Council reserves the right to decide overall performance. The Contractor will be entitled to participate and upon request, have access to the review results.

## LATROBE CITY COUNCIL

### SPECIFICATION - SERVICES SCHEDULE 1

#### INVITATION TO TENDER NO: LCC-302

#### PURPOSE

Since 2006, Latrobe City Council has been exploring opportunities to develop a new Performing Arts Centre to replace the existing ageing facility. There has also been consideration of developing a convention centre within it. In 2009, Council adopted a Performing Arts and Convention Centre Feasibility Study and followed with it a Business Case in 2012. Funding from government departments proved difficult to secure so in 2014, Council determined to review the business case for the combined centre, included consideration of:

- Optimal Location.
- Capital and operational costs.
- Optimal “whole of life” operational costings.
- Current operating costs.
- Business model
- Site Constraints.
- Community and stakeholder sentiment (full community engagement process).
- Understanding demand
- Review of basic concept designs and footprint.
- Recommendations moving forward.

Following the review, in July 2015 Council resolved to:

1. Confirms the site of the existing Latrobe Performing Arts Centre in Traralgon as the site for the new Latrobe Performing Arts Centre
2. Undertake a detailed business case for the Latrobe Performing Arts Centre including a strong evidence base for the new facility and confirmation of key design elements.
3. Engage a specialised theatre design consultant to confirm key design elements and complete a functional design brief to detail costs of the Latrobe Performing Arts Centre.
4. Establish a representative community working group to steer the business case and design for the Latrobe Performing Arts Centre.
5. Receive a report pending the outcome of the funding submission to the National Stronger Regions Fund – Round 2.
6. Continue to liaise with the Victorian and Commonwealth governments in relation to potential funding opportunities.

Council now wishes to progress items 1-6 above in relation to the Latrobe Performing Arts Centre.

## **REGIONAL CONTEXT**

The traditional land of the Braiakaulung people of the Gunnai/Kurnai nation, Latrobe City is situated 140 kilometres east of Melbourne surrounded by the beautiful Great Dividing and Strzelecki Ranges.

Latrobe City is recognised as one of Victoria's four major regional centres, along with Ballarat, Bendigo and Geelong. It is Victoria's only eastern regional city, home to 73,929 residents and 5,019 businesses and is the residential and commercial hub of a larger catchment of 262,000 people stretching across the Latrobe Valley and Gippsland region. It comprises the four major urban centres of Traralgon, Morwell, Moe/Newborough and Churchill, together with the townships of Boolarra, Glengarry, Toongabbie, Tyers, Traralgon South, Yallourn North and Yinnar comprise Latrobe City.

We are the acknowledged centre of Victoria's electricity industry, which is derived from one of the largest brown coal reserves in the world. We are also at the centre of a large forestry industry which services Australian Paper's pulp and paper mill (the largest in Australia) and other sawmills.

Latrobe City's one of the most economically diverse municipalities in Victoria with local industries generating over \$3.7 billion in Gross Regional Product and \$8.8 billion in annual economic output. The combination of major employers, the City's regional significance, and affordable housing make Latrobe City a centre of opportunity for both business and families.

Latrobe City offers excellent shopping, accommodation, dining, and leisure experiences with cafes, contemporary restaurants, specialist shops, major retail outlets, boutique bed & breakfasts, wineries, and health and fitness facilities.

Latrobe City Council's Performing Arts Centre and associated venues develop and support the presentation of professional, and community generated visual and performing arts activities and events. There are a number of theatre companies in Latrobe City.

The site outlined in the council decision above is the site of the existing Latrobe Performing Arts Centre, Library and civic centre, bordered by Kay, Church, Grey and Breed Streets in Traralgon.



The decision of Council above has full regard to developing a compelling case for a new Latrobe Performing Arts facility, which complements existing performing arts facilities in the region, and anticipates being successful for grant applications to the Victorian Government's Regional Jobs and Infrastructure Fund and the Commonwealth Government's National Stronger Regions Fund.

An anticipated cost of construction for the facility is between \$12 million and \$18 million.

## **SCOPE OF WORK**

### **Latrobe Performing Arts Centre Business Case**

An experienced and qualified firm will be required to develop, in collaboration with Council and the community, a full business case which will outline but not be limited to:

- Future business direction (business model) of a performing arts centre in the Latrobe City - taking into account regional demand factors, supply factors and the activation of a strong daytime usage base, including community activation. This may include:
  - Undertaking a representative survey of residents to identify potential community users
  - Working with the representative community group to develop a point of difference for performing arts that complements existing offerings in the region
- Infrastructure and operational constraints/problems inherent to the existing programs/offerings.
- Identification of all possible redevelopment options within the site and option analysis (including site analysis) against a robust assessment criteria.
- Determine future use of existing LPAC site i.e. demolition of existing LPAC, alternate use of existing LPAC etc.
- Confirm if new facility is to include catering options such as onsite café etc. Analysis to include costings and preferred method of operation i.e. in-house or outsource.
  - Investigation and recommendation of potential day time activation methods.
- Financial modelling (capital and operational) of the preferred option.
- Identification of optimal business model including staffing structure and skills mix.
- Social and economic impacts.
- Justification for government intervention, including:
  - Comprehensively addressing the criteria for the National Stronger Regions Fund and Regional Jobs and Infrastructure Fund
  - Reflects the policy and strategic objectives of potential funding partners.
- Stakeholder consultation that recognises the extensive community consultation undertaken as part of the review, and as such, seeks to extend that consultation where required to the Project Reference Group, Representative Community Group or other high level stakeholders
- Work with the Latrobe Performing Arts Centre Project Reference Group in the development of the business case, providing iterative business case concepts that progress into more detail as the project progresses

### **Latrobe Performing Arts Centre – Functional Concept Design**

The functional concept design will provide a base to confirm the direction of the project to all stakeholders and will be used as a tool to seek financial support for the project. It will involve but is not limited to:

- Review all background information relating to the project including consultation reports.
- Appoint, coordinate and manage specialist consultants as required to deliver a concept design that is innovative, achievable, costed and appropriately responds to the needs identified by the business case. For the purposes of the concept design, we anticipate that the consultants will need to be capable of providing the services of a quantity surveyor, land surveyor, structural engineer, specialist theatre designer and geotechnical engineer.
- Consult with the relevant local services and statutory authorities to ensure that the developed concept design is compliant and achievable.
- Develop options that include the demolition, reuse and/or integration of existing buildings with a view to developing an integrated and activated civic and performing arts precinct on the site. These options should have regard to sensitively integrating the centre within the current well utilised library/civic centre building.
- Present the preliminary concept design options and budgets to the Project Manager, Project Reference Group and Community working group through iterative presentations moving from broad concept to more detailed data.
- Work with the community working group in a helpful, consultative and inclusive manner
- Present the preliminary concept design to Council at key milestones Pending approval and adjustments as reasonably required, present the completed concept design to Council, the community working group and a public meeting
- Provide appropriate coloured renders reproduced on corflute or similar for the purposes of display at a public meeting.
- Provide a tender option to include a fly through animated video clip of the completed concept design.
- Consider transport integration and car parking options and investigate the possibility of basement or multi-level car parking so as to maximise the public space and/or potential future sympathetic development at the site.
- Consider Latrobe City's "wood encouragement" policy as a key feature of the design concept
- Provides for different options for a staged construction should one of the grant applications not be successful.

### **COMMUNITY ENGAGEMENT**

Community engagement was conducted during the Latrobe Performing Arts and Convention Centre Review 2015 and included online survey, focus groups, listening posts and one-on-one interviews.

It is anticipated that a community engagement strategy be implemented as part of this review with a particular focus on working closely with a selected community group. Further engagement should be considered having consideration to community working group and other interested stakeholders.



### **Methods of Engagement**

The successful consultant will be part of the Project Reference Group and additional stakeholder engagement may be necessary at times by way of meetings (phone, in person etc.)

Further engagement may be proposed if deemed necessary.

The Consultant will provide a brief detailing the amount, time and costs of the intended engagement.

### **Project Management**

The project will be managed by Michael Bloyce Manager Arts & Events, who will be supported by a Project Reference Group of key internal and external stakeholders.

***\*\*The project management/governance structure is still to be confirmed.***

### **PROJECT METHODOLOGY**

In preparing the project methodology, the Consultant should consider the following suggested project phasing, however, alterations or alternatives to the recommendations will also be considered. Time frames are critical with regard to applying for government grants.

#### **Project Inception – November 2015**

- Initial Project Inception meeting with Project Manager.

#### **Phase 1 – Scoping/Background research –November 2015**

- Review previous documents related to this project.
- Conduct first Project Reference Group meeting with key stakeholders.

#### **Phase 2 – Development of Draft Latrobe Performing Arts Centre Business Case and Functional Concept Design : December 2015 – February 2016**

- Regular meetings with Project Reference Group.
- Subsequent Consultation with:
  - Key external stakeholders
  - Others as identified.
- Prepare a Draft Business Case and Functional Concept Design/s based on scope of work.
- Review of Draft Business Case Review with Project Manager and Project Reference Group.
- Present Draft Business Case to Council at a briefing session.

#### **Phase 3 – Finalisation of Latrobe Performing Arts Centre Business and Functional Concept Design: March 2016**

- The consultant should remain abreast of developments with National Stronger Regions Fund and the Regional Jobs and Infrastructure Fund, especially in regard to addressing the grant criteria, funding round announcements and deadlines for application.

### **PROJECT DELIVERABLES**

Upon appointment, the Consultant will attend an inception meeting (with relevant Council Officers to finalise the project brief and determine an agreed timeframe for the completion of all tasks.

Following the completion of the inception process and all phases of the project, the Consultant will be required to provide the project manager with all deliverables as outlined:

- An electronic version and three bound hard copies of the Draft *Latrobe Performing Arts Centre Business Case and Functional Concept Design/s* following Phase 2.
- An electronic version and three bound hard copies of the Final Business Case and Functional Concept Design following Phase 3
- The reports are to be fully indexed, referenced and include an appendix and bibliography as appropriate.

### **PROJECT TIMEFRAME**

The work must be executed as soon as practicable and is not to exceed the period stated above without the prior approval of the Project Manager.

Should it become apparent that works cannot be executed within the timeframe allowed, alternative arrangements must then be discussed with the Project Manager. No extra costs will be incurred by the Latrobe City Council due to any delay.

### **BACKGROUND MATERIAL**

The Contractor shall be supplied with documentation or links which provide background to the project. This information will include, but not necessarily be limited to:

*Latrobe*

2026 [www.latrobe.vic.gov.au/About\\_Council/Media\\_and\\_Publications/Planning\\_for\\_our\\_future/Latrobe\\_2026](http://www.latrobe.vic.gov.au/About_Council/Media_and_Publications/Planning_for_our_future/Latrobe_2026)

*Latrobe City Securing our Future*

[www.latrobe.vic.gov.au/About\\_Council/Media\\_and\\_Publications/Latest\\_News/Council\\_adopts\\_new\\_Securing\\_our\\_Future\\_document\\_to\\_attract\\_jobs](http://www.latrobe.vic.gov.au/About_Council/Media_and_Publications/Latest_News/Council_adopts_new_Securing_our_Future_document_to_attract_jobs)

*Latrobe Performing Arts and Convention Centre Feasibility Study 2009*

*Latrobe Performing Arts and Convention Centre Business Case 2012*

*Latrobe Arts and Convention Centre Business Case Review 2015*

### **KEY STAKEHOLDERS FOR CONSULTATION & ENGAGEMENT**

Key stakeholders for this project will include:

External Stakeholders:

- Creative Victoria
- Regional Development Victoria
- Victorian Association of Performing Arts Centres
- Tourism Victoria/Destination Gippsland

Internal Stakeholders:

- Project Reference Group
- Latrobe Performing Arts and Venues
- Latrobe Regional Gallery

Community Stakeholders

- Creative Gippsland
- Gippsland Centre for Art & Design, Federation University
- ARC Yinnar
- Latrobe Theatre Company
- Break a Leg Theatre Company
- Gippsland Acoustic Music
- Here There and Everywhere Theatre Company
- Morwell Art Group
- Moe Art Society (Moartz)
- Traralgon and District Art Society
- Latrobe Regional Gallery Advisory Committee
- Multicultural Festival
- Boolarra Folk Festival
- Fiddlehead Festival
- Moe Jazz Festival
- Morwell Festival of Dance
- Latrobe Valley Eisteddfod
- Moe Dance Eisteddfod
- Dance Schools
- Members of the general community
- Small Towns Community Associations
- Schools
- Strzelecki Showtime
- Bands and Orchestras
- Choirs
- Nanoo Nanoo Arts

### **OCCUPATIONAL HEALTH AND SAFETY**

The Contractor is required to undertake all work in a safe and responsible manner, using well maintained and appropriate plant and equipment and exercising duty of care to ensure the safety of the public.

The Contractor is fully responsible for site safety for themselves, their employees, Latrobe City Council employees and all third parties. Proper workmanship to the Latrobe City Council's satisfaction is required at all times.

It is emphasised that the safety of the public is of paramount importance and it is the sole responsibility of the Contractor to ensure that a safe working site is provided at all times.

## LATROBE CITY COUNCIL

### LATROBE PERFORMING ARTS CENTRE – BUSINESS CASE AND FUNCTIONAL CONCEPT DESIGN

#### INVITATION TO TENDER NO: LCC-302

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#### TENDER FORM AND TENDER FORM SCHEDULES

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#### TENDER INFORMATION AND CONDITIONS OF TENDERING

##### 2.2 FORM OF TENDER SUBMISSIONS

2.2.1 Electronic tender lodgement via Latrobe City Council's e-tendering portal [www.latrobe.vic.gov.au/tenders](http://www.latrobe.vic.gov.au/tenders) is to be utilised by tenderers to lodge submissions no later than the closing time and date.

**OR**

2.2.2 Tender submissions may be lodged on a CD (compact disc) or a USB memory stick in either Microsoft Word or Acrobat Reader format and be placed in the Tender Box as per Clause 2.3.

**OR**

2.2.3 Hardcopy tender submissions may be lodged in one original unbound / loose leaf copy (i.e. **no staples, no hole punching, no binding**) as per Clause 2.3.

**LATROBE CITY COUNCIL**

**TENDER FORM**

**INVITATION TO TENDER NO: LCC-302**

PLEASE USE BLOCK LETTERS

Business Name of company or firm  
submitting Tender - **Include full  
trading as business name  
(if applicable)**

.....  
.....

Address of Tenderer:

.....  
.....

Postal Address of Tenderer:  
(if different from above address)

.....  
.....

GST Registration Number:

.....

hereby tenders to perform the works / services for:

**LATROBE PERFORMING ARTS CENTRE – BUSINESS  
CASE AND FUNCTIONAL CONCEPT DESIGN**

in accordance with the following documents:

- ⇒ **Tender Information and Conditions of Tendering**
- ⇒ **General Conditions of Contract**
- ⇒ **Specification – Services**
- ⇒ **Tender Form**
- ⇒ **Tender Form Schedules 1, 2, 3, 4, 5 and 6**

For the lump sum of \$ \_\_\_\_\_ (excl. GST)

For the rates as detailed in the attached Tender Form Schedule 1

NOTE: Tenderers are to price the goods or services exclusive of GST, that is, the price is not to include a GST. Should the supply of any goods or services under the Contract be subject to GST, the amount of the GST is to be shown separately on a complying tax invoice.

If the Tenderer is a firm, the full  
names of the individual members of  
the firm must be stated here:

.....  
.....

Name of person submitting tender:

.....

Position of person submitting tender:

.....

Signature of person submitting  
tender:

.....

**DATED** this ..... day of ..... 2015 (insert date)

## LATROBE CITY COUNCIL

### TENDER FORM SCHEDULE 1

INVITATION TO TENDER NO: LCC-302

ITEM	DESCRIPTION	PRICE
1.	Latrobe Performing Arts Centre - Business Case	\$
2.	Latrobe Performing Arts Centre – Functional Concept Design	\$
<b>LUMP SUM AMOUNT</b>		<b>\$</b>

**NOTE:** All above prices are to be exclusive of GST.

## LATROBE CITY COUNCIL

### TENDER FORM SCHEDULE 2

#### STATEMENT BY TENDERER IN SUPPORT OF INVITATION TO TENDER NO: LCC-302

#### 1. GENERAL

This Tender is submitted and Contract Claims, if successful will be submitted in the name of:

\_\_\_\_\_

Company Address: \_\_\_\_\_

\_\_\_\_\_

Registered Address  
of Tenderer: \_\_\_\_\_

\_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Email Address: \_\_\_\_\_

#### 2. INDIVIDUALS (Tick where appropriate)

(a) This Tender is submitted by an individual trading under own name

**OR**

(b) By an individual trading under a name registered under the *Business Names Act 1962*

Australian Business Number (ABN): \_\_\_\_\_

Registered Business Name: \_\_\_\_\_

Trading as: \_\_\_\_\_

#### 3. PARTNERS

(a) This Tender is submitted by Partners

Name: (i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

(b) The partners trade under their individual names

**OR**



(c) Under a name registered under the *Business Names Act 1962*   
Australian Business Number (ABN): \_\_\_\_\_  
Registered Business Name: \_\_\_\_\_  
Trading as: \_\_\_\_\_

(d) Authorisation is based under:   
(i) All partners signing  
(ii) Other arrangements as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**4. COMPANIES**

(a) This Tender is submitted by a company registered under the Companies Act of Australia   
(b) Australian Company Number (ACN): \_\_\_\_\_

**OR / AND**

Australian Business Number (ABN): \_\_\_\_\_

(c) The persons authorised under the Articles of Association of the Company to sign documents are:   
Name: \_\_\_\_\_ Position: \_\_\_\_\_  
Name: \_\_\_\_\_ Position: \_\_\_\_\_  
Name: \_\_\_\_\_ Position: \_\_\_\_\_  
Name: \_\_\_\_\_ Position: \_\_\_\_\_

(d) Authorisation is based under:   
(i) All named persons signing  
(ii) Other arrangements as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**5. CONFORMING TENDER**

This Tender is submitted in conformance with all the said documents of the  
above-mentioned contract:

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**OR**

The following details are provided for the extent to which this tender does not conform with  
the above-mentioned contract:

---

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- N.B. 1. If space inadequate, please attach additional sheets.  
2. Additional sheets are / are not attached.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

## LATROBE CITY COUNCIL

### TENDER FORM SCHEDULE 3

INVITATION TO TENDER NO: LCC-302

#### STATUTORY DECLARATION

I, \_\_\_\_\_

of, \_\_\_\_\_

do solemnly and sincerely declare that:

#### 1. DEFINITIONS

In this Statutory Declaration:

“**Bidders**” means any tenderers for the Contract and includes the Tenderer;

“**the Contract**” means the Contract that the tender to which this Statutory Declaration is annexed pertains;

“**Industry Association**” means any organisation of which Bidders are members;

“**the Tenderer**” means (insert below: name of company, other body, corporate, firm or individual)

\_\_\_\_\_ ; and

“**Tender Price**” means the amount indicated by a Bidder as the lowest amount for which that Bidder is prepared to perform the Contract.

#### 2. \* INTRODUCTION

I am the Tenderer and make this declaration on my own behalf.

OR

#### 2. \* INTRODUCTION

2.1 I hold the position of (insert Managing Director or other title)

\_\_\_\_\_ of the Tenderer  
and am duly authorised by the Tenderer to make this declaration on its behalf.

2.2 I make this declaration on behalf of the Tenderer and on behalf of myself.

(\* Delete or strikethrough alternative which is not applicable)

### **3. NO KNOWLEDGE OF TENDER PRICES**

Prior to the Tenderer submitting its tender for the Contract, neither the Tenderer, nor any of its employees or agents, had knowledge of the Tender Price or proposed Tender Price of any other Bidder who submitted, or of any person, company, other body corporate or firm that proposed to submit, a tender for the Contract.

### **4. DISCLOSURE OF TENDER PRICE**

Prior to the close of tenders for the Contract, neither the Tenderer, nor any of its employees or agents, disclosed the Tenderer's Tender Price to:

- 4.1 any other Bidder who submitted a tender for the Contract;
- 4.2 any person, company, other body corporate or firm proposing to submit a tender for the Contract; or
- 4.3 any person or organisation connected or associated with a Bidder, person, company, other body corporate or firm of a kind referred to in clauses 4.1 or 4.2.

### **5. PROVISION OF INFORMATION**

Neither the Tenderer, nor any of its employees or agents, has provided information to:

- 5.1 any other Bidder who has submitted a tender for the Contract;
- 5.2 any person, company, other body corporate or firm proposing to submit a tender for the Contract; or
- 5.3 any other person, company, other body corporate or firm for the purpose of assisting in the preparation of a tender for the Contract.

### **6. GENUINE COMPETITION**

The Tenderer is genuinely competing for the Contract.

### **7. INDUSTRY ASSOCIATION AGREEMENTS**

Neither the Tenderer, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding, other than as disclosed to the Council in the Tenderer's tender, that the successful Bidder for the Contract will pay any money to, or provide any other benefit or other financial advantage to, an Industry Association in respect of the Contract.

### **8. UNSUCCESSFUL TENDERERS' FEES**

Neither the Tenderer, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding that the successful Bidder for the Contract will pay any money to, or provide any other benefit or other financial advantage to, any other Bidder who unsuccessfully tendered for the Contract.

### **9. QUALIFICATIONS TO TENDERS**

Neither the Tenderer, nor any of its employees or agents, has entered into any contract, agreement, arrangement or understanding that Bidders for the Contract would include an identical or similar condition or qualification in their tenders for the Contract.

I acknowledge that this declaration is true and correct and I make it in the belief that a person making a false declaration is liable to the penalties of perjury.

DECLARED at ..... )

..... in the State of Victoria )

on this ..... day of ..... 2015 )

Signed: .....

Before Me \* :

**Signature:** \_\_\_\_\_

**Full Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Qualification:** \_\_\_\_\_

\* (See overleaf for a list of people who are authorised to witness Statutory Declarations)

## WHO CAN WITNESS STATUTORY DECLARATIONS

These persons are authorised to witness statutory declarations under Section 107A of the Evidence Act:

- A Justice of the Peace or a Bail Justice
- A Notary Public
- A barrister and solicitor of the Supreme Court
- A clerk to a barrister and solicitor of the Supreme Court
- The Prothonotary or a Deputy Prothonotary of the Supreme Court
- The Registrar or a Deputy Registrar of the County Court
- The Principal Registrar of the Magistrates' Court
- The Registrar or a Deputy Registrar of the Magistrates' Court
- The Registrar of Probates or an Assistant Registrar of Probates
- The Associate to a Judge of the Supreme Court or of the County Court
- The Secretary of a Master of the Supreme Court or of the County Court
- A person registered as a Patent Attorney under Part XV of the Patents Act 1952 of the Commonwealth
- A member of the Police Force
- The Sheriff or a Deputy Sheriff
- A member or former member of either House of the Parliament of Victoria
- A member or former member of either House of the Parliament of the Commonwealth
- A councillor of a municipality
- A senior officer of a Council as defined in the Local Government Act 1989
- A registered medical practitioner within the meaning of the Medical Practice Act 1994
- A dentist
- A veterinary surgeon
- A pharmacist
- A principal in the teaching service
- The manager of a bank
- A member of the Institute of Chartered Accountants in Australia or the Australian Society of Accountants or the National Institute of Accountants
- The secretary of a building society
- A minister of religion authorised to celebrate marriages
- A person who holds an office in the public service or in a statutory authority that is prescribed as an office to which this section applies
- A fellow of the Institute of Legal Executives (Victoria)

## LATROBE CITY COUNCIL

### TENDER FORM SCHEDULE 4

#### INVITATION TO TENDER NO: LCC-302

#### INFORMATION TO BE SUPPLIED BY TENDERER

Tenderers are required to submit such information as is necessary to enable the Council to assess their ability to carry out the works. This questionnaire has been prepared to assist tenderers in supplying this information.

1. Tenderer's Name: \_\_\_\_\_
  
2. How many years has the Tenderer been in business under its present business name?  
  
\_\_\_\_\_
  
3. In what other types of business has the Tenderer a financial interest?  
  
\_\_\_\_\_  
  
\_\_\_\_\_
  
4. How many years' experience has the Tenderer had in the type of work it would be required to perform under the Contract?  
  
\_\_\_\_\_
  
5. List current works of a similar type that the Tenderer is undertaking. (Note: All contact persons listed below, or any persons contacted by Latrobe City Council in relation to work performed by the tenderer, may be treated as referees).

Description of Work	Annual Value	When Started and Expiry Date	Location of Work	Client Company, Contact Person and Telephone Number

6. List works of a similar type that the Tenderer has done in the past three years. (Note: All contact persons listed below, or any persons contacted by Latrobe City Council in relation to work performed by the tenderer, may be treated as referees.)

Description of Work	Value	Dates	Location of Work	Client Company, Contact Person and Telephone Number

7. What is the experience of the principal individuals of the Tenderer in the type of work it would be required to perform under the Contract?

Name and Position	Location and Description of Work and for Whom Work Performed	In what capacity

8. State the number of personnel and equipment (if applicable) that the Tenderer intends to employ on performing the Contract.

Personnel: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Equipment: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



9. Location of Office (if applicable) the Tenderer intends to use for the Contract.

---

---

10. Give details of the Tenderer's financial ability to carry out the work.

---

---

11. List banks or other financial institution from which references may be obtained.

---

---

12. List names and telephone numbers of professional referees.

Name	Position	Organisation	Telephone

13. Insurance Details

13.1 Provide a Certificate of Currency for WorkCover insurance or a letter of exemption, whichever is applicable

---

13.2 Provide details of Public Liability and Professional Indemnity insurance

**Public Liability**

Insurance Provider: \_\_\_\_\_

Policy No: \_\_\_\_\_ Expiry date: \_\_\_\_\_

Sum Insured: \_\_\_\_\_

**Professional Indemnity**

Insurance Provider: \_\_\_\_\_

Policy No: \_\_\_\_\_ Expiry date: \_\_\_\_\_

Limit of Indemnity: \_\_\_\_\_

14. Benefit to the Regional Economy

14.1 Does your business have a head office, if yes where is its location?

\_\_\_\_\_

14.2 What percentage (%) of the business is locally owned (i.e: within the Latrobe City region)?

\_\_\_\_\_

14.3 What percentage (%) of goods and services will be sourced from within the Latrobe City region?

\_\_\_\_\_

14.4 Other Information (such as local sponsorship of community or sporting groups from within the Latrobe City region)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. Community Engagement

Does your product / service have the potential to have an impact on the community?

If so, please outline how you will communicate and engage with key stakeholders and relevant community members:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

16. Other information from Contractor (Tenderers are invited to submit other relevant information in support of their Tender. Tenderers are expected to clarify in writing their interpretation of the Specification where there may be an ambiguity).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

17. Employment of Trainees / Apprentices

Does your company employ Trainees / Apprentices? **YES / NO** *(please circle)*

If yes, how many in the last financial year? \_\_\_\_\_

## LATROBE CITY COUNCIL

### TENDER FORM SCHEDULE 5

#### INVITATION TO TENDER NO: LCC-302

#### OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT SYSTEM QUESTIONNAIRE

This questionnaire forms part of Latrobe City Council's tender evaluation process and is to be completed by tenderers and submitted with their tender offer. The objective of the questionnaire is to provide an overview of the status of the tenderers OH&S management system. Tenderers will be required to verify their responses noted in their questionnaire by providing evidence of their ability and capacity in relevant matters.

	Yes	No
<b>1 OH&amp;S Policy and Management</b>		
1.1 Is there a written company OH&S policy? <i>If Yes, provide a copy of policy.</i> Comments: .....	<input type="checkbox"/>	<input type="checkbox"/>
1.2 Does the company have an OH&S Management System certified by a recognised independent authority (eg: SafetyMAP)? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
1.3 Is there a company OH&S Management System manual or plan? <i>If Yes, provide a copy of contents page(s).</i> Comments: .....	<input type="checkbox"/>	<input type="checkbox"/>
1.4 Are Occupational Health and Safety responsibilities clearly identified for all levels of staff? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
<b>2 Safe Work Practices and Procedures</b>		
2.1 Has the company prepared safe operating procedures or specific safety instructions relevant to its operations? <i>If Yes, provide a summary listing of procedures or instructions:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
2.2 Does the company have any permit to work systems? <i>If Yes, provide a summary listing or permits.</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
2.3 Is there a documented incident investigation procedure? <i>If Yes, provide a copy of a standard incident report form.</i> Comments: .....	<input type="checkbox"/>	<input type="checkbox"/>
2.4 Are there procedures for maintaining, inspecting and assessing the hazards of plant operated / owned by the company? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>

		Yes	No
2.5	Are there procedures for storing and handling hazardous substances? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
2.6	Are there procedures for identifying, assessing and controlling risks associated with manual handling? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
<b>3 OHS Training</b>			
3.1	Describe how Occupational Health and Safety training is conducted in your company: .....		
.....			
3.2	Is a record maintained of all training and induction programs undertaken for employees in your company? <i>If Yes, provide examples of safety training records.</i> <i>Comments:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
<b>4 Health and Safety Workplace Inspection</b>			
4.1	Are regular Occupational Health and Safety inspections at work-sites undertaken? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
4.2	Is standard workplace inspection checklists used to conduct Occupational Health and Safety inspections? <i>If Yes, provide details or examples:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
4.3	Is there a procedure by which employees can report hazards at workplaces? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
<b>5 Health and Safety Consultation</b>			
5.1	Is there a workplace OH&S committee? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
5.2	Are employees involved in decision making over OH&S matters? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
5.3	Are there employee-elected Occupational Health and Safety representatives? <i>Comments:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			
<b>6 OH&amp;S Performance Monitoring</b>			
6.1	Is there a system for recording and analysing Occupational Health and Safety performance statistics? <i>If Yes, provide details:</i> .....	<input type="checkbox"/>	<input type="checkbox"/>
.....			

- |   |                          |                          |
|---|--------------------------|--------------------------|
|   | <b>Yes</b>               | <b>No</b>                |
| 6.2 Are employees regularly provided with information on company Occupational Health and Safety performance?<br><i>If Yes, provide details:</i> ..... | <input type="checkbox"/> | <input type="checkbox"/> |
| .....   |                          |                          |
| 6.3 Has the company ever been convicted of an Occupational Health and Safety offence?<br><i>If Yes, provide details:</i> .....                        | <input type="checkbox"/> | <input type="checkbox"/> |
| .....   |                          |                          |

**7 Company References**

7.1 Please provide the following information for the three (3) most recent contracts completed by the company:

	Contract 1	Contract 2	Contract 3
Contract Description:			
Client:			
Contact:			
Phone No.:			
Number of lost time injuries:			
Number of person days on contract:			
Total days lost due to injuries:			

**Certification**

The information provided in this questionnaire is an accurate summary of the company's Occupational Health and Safety management system.

Company Name: \_\_\_\_\_

Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Position: \_\_\_\_\_

Contact Number: \_\_\_\_\_ Date: \_\_\_\_\_

## LATROBE CITY COUNCIL

### TENDER FORM SCHEDULE 6

INVITATION TO TENDER NO: LCC-302

#### RECEIPT OF ADDENDA

The tenderer is required to list the addenda that they received during the tender period and acknowledge that the tender has been prepared having regard to those addenda.

**This Tender Form Schedule is only to be returned with the tender submission where addenda have been received by the Tenderer.**

ADDENDA NUMBER	BRIEF DESCRIPTION (eg. Specification Page No., Clause, Schedule No.)	DATE RECEIVED

This tender has been prepared having regard to the addenda listed above.

SIGNED: \_\_\_\_\_

NAME OF TENDERER: \_\_\_\_\_

DATE: \_\_\_\_\_

**14.6 2015 LATROBE CITY SPORTS EXCHANGE****General Manager****City Development****For Information****PURPOSE**

The purpose of this report is to provide Council with information regarding the activities undertaken during the recent Latrobe City Sports Exchange Program to Taizhou, China.

**EXECUTIVE SUMMARY**

Latrobe City's sister cities relationships with Taizhou, China and Takasago, Japan have helped promote Latrobe City as city of global significance, through exchanges and initiatives that focus on five key areas – education, culture, trade, tourism and sport.

The completion of first leg of the 2015/2016 Sports Exchange Program to China has continued to provide residents of both Latrobe City and Taizhou the opportunity to become directly involved in international relations in a unique and meaningful way, bringing long-term benefits to our local community and that of Taizhou, China.

In addition, leveraging off Latrobe City Council's sister city relationship with Taizhou in China, Federation University once again seized the opportunity to coincide a visit to Taizhou, China to strengthen their relationships with Taizhou's educational sector.

The meetings led by Federation University Head of Campus – Gippsland, Harry Ballis and accompanied by Latrobe City Council Mayor, Councillor Dale Harriman highlighted the desire to promote student and staff exchanges and the real possibility of establishing programs that would articulate to Federation University degrees.

The delegation to China has demonstrated that friendship is continuing to be strengthened with Taizhou, our sister city, and extended into other areas of China including Shanghai, Nanjing and Beijing.

**MOTION****Moved:** Cr Harriman**Seconded:** Cr White

**That Council receives and notes the report regarding activities undertaken during the recent Latrobe City Sports Exchange to China.**

**CARRIED UNANIMOUSLY**

### **DECLARATION OF INTEREST**

No officer declared a conflict of 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.*

*Strategic Direction – 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**

At its Ordinary Council Meeting of 13 April 2015, Council resolved;

1. *Approves the following proposed Sports Exchange Program to both sister cities in 2015/2016;*
  - a. *Taizhou, China – Tennis*
  - b. *Takasago, Japan – Athletics (distance running) in 2016.*

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's International Relations Program has been an integral component of Council operations since 2000. Over 210 Latrobe City youth have participated in Latrobe City Council's initiated exchange programs since 2000. Programs have included sport, music, arts and education exchanges.

These programs enable 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.

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.*

### **KEY POINTS/ISSUES**

The Sports Exchange Program with Taizhou China has been successfully completed with 10 young Latrobe City ambassadors, a Team Coach and Team Manager participating in the program.

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The exchange took place from 22 September 2015 to 6 October 2015 encompassing visits and tennis activities in Taizhou, Shanghai, Nanjing and Beijing.

The program was overwhelmingly successful, enabling local tennis players the opportunity to experience the culture of China by actually being part of a community, experiencing home-stays, attendance at schools, undertaking cultural and tennis activities.

Although titled as being a “sports exchange”, the tennis component to this program was somewhat secondary with the focus predominantly on enhancing cultural understanding and awareness.

The sportsmanship and camaraderie displayed between sister cities and all tennis academies visited was exceptional. The Latrobe City team performed admirably, all team members were challenged and to their credit performed exceptionally well. The manner in which all participants conducted themselves was a real credit to themselves, their families, their local sporting clubs and Latrobe City.

Based on feedback received from participants and families, their lives have been enriched by the experience and have all made lifelong friends along with providing all with a closer insight into the Chinese way of life.

Latrobe City's International Relations program intends to serve many purposes, including the broadening of a range of existing cultural, sporting, and educational, youth and economic exchange opportunities and to establish a lasting friendly relationship. There is no doubt that the recent trip to China achieved these objectives and was aligned to Latrobe City International Relations key objectives.

The delegation provided further leveraging opportunities with a number of investment and relationship focussed meetings held in Shanghai, Taizhou, Nanjing and Beijing. These meetings provided the platform for exploring potential business opportunities and information on current trends in China. A summary of outcomes are outlined below.

**Austrade – Shanghai**

Officers met with Mr. Brent Moore, Trade Commissioner Austrade Shanghai and James Xu, Investment Director Victoria Government Investment & Trade Office Shanghai.

The main purpose was to explore, build relationships and receive an update on a range of future collaborative investment opportunities and current market trends.

Key discussion highlights:

- E-commerce in China and the relevant Trade Commissioners portfolio responsibilities
- Online consumers growing at 500 million per annual
- 300 million shop online in China
- Agribusiness opportunities
- 2<sup>nd</sup> Tier Cities have a population up to 10 million, Taizhou City is a 3<sup>rd</sup> tier city

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- Timber industry in high demand in China
- Australian Furniture Industry opportunities in China, Australian timber products on high demand

### **Timber Industry – Shanghai**

Officers met with Mr. Gavin Hao, consultant within China's timber sector.

Key discussion highlights:

- Promotion of Latrobe City's strong interest in the timber industry and hub
- Interests in helping international companies establish a presence in Australia
- Gippsland region has access to native and plantation resource, collaboration with sector to identify what products are in demand
- Products such as laminated veneer lumber, veneer and cross laminate timber have been identified as part of this research
- Interest in establishing opportunities that can benefit international partners
- The Australian timber industry's biggest event, AUSTimber2016 is to be held in Latrobe City from 11 to 16 April 2016, invitation extended to Chinese sector
- The primary purpose of AUSTimber 2016 is to demonstrate the technology improve productivity. AUSTimber 2016 will provide suppliers the opportunity to provide live demonstrations of the latest technology to prospective users, owners and investors
- AUSTimber 2016 will also provide the public the opportunity to see the equipment in action as well as highlighting career options available within the sector
- Mr. Hao to provide ongoing assistance with Latrobe City's initiatives

### **Taizhou High School**

The Mayoral led delegation met with school officials and discussed the Sister School relationships and ongoing support from Latrobe City to ensure the relationship continues to grow and strengthen. Since 2000, Traralgon College and Taizhou High School have worked in collaboration and continue to participate in very successful student and staff exchanges.

Taizhou High School is well equipped and placing significant emphasis on their English programs and is currently working with Cambridge University in this area. There is the potential for such a program to be adopted by Federation University Australia – Gippsland Campus.

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Taizhou High School is extremely grateful of the support and commitment from Latrobe City Council and Sister Schools and look forward to the ongoing developments of their English programs and exchanges.

**Taizhou University**

The Mayoral led delegation met with University officials and undertook a tour of the new Jichuan Campus of Taizhou University.

In conjunction with Federation University Australia, Latrobe City delegates accompanied Federation University Australia Gippsland Head of Campus Dr. Harry Ballis to participate in an Expo at the Chunhui Campus of Taizhou University.

The purpose of the Expo was to explore collaborative partnerships and promotion of FedUni Gippsland and Latrobe City as a place of international education.

The discussions highlighted the desire to promote student and staff exchanges and the possibility of establishing programs that would articulate to Federation University Australia.

Over three hundred students attended the Expo with many displaying a genuine interest to undertake tertiary studies in Latrobe City.

Taizhou University is a newly-upgraded public undergraduate university situated in Taizhou, Jiangsu Province. Taizhou University comprises of ten schools and one department, namely, School of Human Sciences, School of Mathematics and Physics, School of Computer Science and Technology, School of Education Science, School of Foreign Languages, School of Economics and Management, School of Ships and Electrical Engineering, School of Music, School of Arts, School of Medicine and Chemical Engineering, and Department of Physical Education.

Taizhou University is eager to establish friendly intercollegiate relationship, and promote personnel exchanges, the mutual understanding, and the development of academic exchange between the two universities. Taizhou University has identified the following collaborative projects:

1. The project of exchanges for the students of the two universities
2. The project of teaching exchanges for teachers
3. The project of joint programme

The fact that the discussions between Federation University Australia Gippsland and Taizhou University have progressed so quickly is accredited to the time and energy that Latrobe City Council has invested in the Sister Cities relationship with Taizhou, China.

**Taizhou Municipal Government**

Led by Mayor Councillor Dale Harriman, Latrobe City officials met with officials from the Taizhou People's Government. Both Mayor Harriman and Taizhou People's Government Mayor Mr Lu Zhipeng discussed the significant benefits of our Sister Cities relationships, the achievements to

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date, building on what is already a strong relationship and leveraging off the Jiangsu Province and Victorian Government relationship.

Both spoke about the importance of economic development and seeking collaborative opportunities with each other.

Taizhou People's Government is committed to working with Chinese companies to support and enhance Latrobe City business initiatives and future collaborative partnerships.

The Jiangsu Province is the largest industrial and fourth largest agricultural Province in China, this provides significant leveraging opportunities and future partnerships.

Key Discussion Highlights:

- Cooperation extended to many areas
- Friendship is continuing to be strengthened
- Economy, Culture and Sport Exchanges reciprocated
- Chinese Garden in Latrobe welcomed and supported by Taizhou. Joint project as per Australian Garden in Taizhou. Taizhou Foreign Affairs Office Officers and Latrobe City Council Officers to work together on the project
- Taizhou's fast growing economy – GDP increased by 8% during Jan-Aug 2015. Both cities welcome the opportunity for collaboration and leveraging opportunities
- Both cities seeking more exchanges within the field of economy
- Explore potential opportunities in the aviation/aerospace sector
- Taizhou City supportive of Federation University Australia Gippsland initiatives in Taizhou and China. Taizhou Foreign Affairs Office to encourage student and teachers to study and undertake exchanges programs with Federation University Australia Gippsland Campus
- Latrobe City has a number of Chinese Companies operating in the City and welcomes new business, Taizhou to support initiatives
- Latrobe City is seeking to leverage off its natural resources, looking for expansion opportunities
- Future – encourage Taizhou Business sector to invest in Latrobe City
- Collaborative staff exchange program between two cities
- Explore Taizhou Government Business/Trade Office in Latrobe City

**Taizhou People's Government Mayor Mr Lu Zhipeng concluded by saying "more than just friends now, time for business"**

### **Taizhou Hospital**

Led by Mayor Councillor Dale Harriman, Latrobe City officials met with Taizhou Hospital President Ding Wei, Vice President Gui Chun and 7 senior directors.

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The main purpose was to explore, build relationships and seek future collaborative opportunities in the medical sector.

Key discussion highlights:

- Acknowledgement of the strong 15 year Sister Cities relationship
- Hospital established in 1917
- Top comprehensive hospital in the Jiangsu Province
- 2277 staff
- 85 PhD Doctors
- Medical research in 58 sections
- 7 major academic research categories
- Historical breakthroughs in medical research
- IVF program very successful
- Science & technology experts within staff
- Interns from several universities, including Taizhou Polytechnic College
- Plan to be the best hospital in the Jiangsu Province in the next 3-5 years
- Taizhou Hospital staff undertook training at Latrobe Regional Hospital (LRH) a few years ago and the desire is to re-establish the collaboration and exchanges
- Taizhou Hospital interested in reciprocal exchanges – doctors, nurses
- Opportunities for Federation University Australia Gippsland – student exchanges
- Latrobe City to liaise with LRH regarding opportunities and support the collaboration between LRH and Taizhou Hospital
- Latrobe City is very appealing to Taizhou Hospital
- Taizhou Hospital will work with Taizhou Foreign Affairs Office to explore and implement future collaborative exchanges within the medical sector

**Taizhou Agricultural Development Zone**

Led by Mayor Councillor Dale Harriman, Latrobe City officials met with Jiangsu Hongqi Seed Company officials.

Although there are not significant leveraging opportunities for Latrobe City, there is the potential for Gippsland Region Agribusiness and Victorian Farmers Federation.

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Jiangsu Hongqi Seed Company focusses on the breeding and developing of new cultivars of rice and wheat and is targeted at building a specialised and large scale seed enterprise integrating Breeding, Reproduction and Popularization of rice and wheat seeds.

Jiangsu Hongqi Seed Company is a hi tech enterprise, it is a major enterprise in the seed industry of Jiangsu Province and one of the leading enterprises of agriculture industrialisation, agricultural science, and agriculture technology within the province.

### **Taizhou Polytechnic College**

Led by Mayor Councillor Dale Harriman, Latrobe City officials met Taizhou Polytechnic officials, a leading provider of diploma programs in building construction, engineering and nursing.

In 2014, Taizhou Polytechnic College and Federation University Australia Gippsland Campus entered into a Memorandum of Understanding, with the following to be undertaken:

In order to promote the exchange and cooperation in the area of advanced vocational and technical cooperation between the two parties, the following memorandum of understanding has been reached on the basis of equality, mutual respect and mutual benefit.

1. To further international cooperation between the two parties.
2. To introduce some international certificate courses training

Ordinarily establishing partnerships with overseas universities and higher education providers takes many visits and years. The fact that the discussions between Federation University and Taizhou Polytechnic College have progressed so quickly is accredited to the Sister Cities relationship with Taizhou.

Subsequently, Dr. Harry Ballis is now liaising with the Federation University Australia Faculties and Heads of School to advise them of the collaboration and the possibility of a return visit to Taizhou in early 2016. The purpose (two or three day visit) will be for some members (Deans and or Associate Deans) from Business, Nursing and Education to meet with their counterparts at Taizhou University and Taizhou Polytechnic College to finalise some of the collaborative discussions and exchanges held in Taizhou.

### **China Medical City**

Led by Mayor Councillor Dale Harriman, Latrobe City officials visited the China Medical City (CMC). Also known as Taizhou National Medical Hi-tech Industrial Development Zone, is China's high-tech development zone focusing on biomedical research and development, manufacturing and commercialisation.

CMC has developed into a fully-integrated mini city consisting of six functional districts spanning across 30 square kilometers. Taizhou is

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considered to be an advanced center for research and manufacturing in the pharmaceutical, biochemical and biotechnology.

CMC is currently the only national level biomedical park co-built by ministries and provincial government in China. Today, there are over 50 pharmaceutical and biological research institutes settled in CMC.

Our Economic Development team has commenced preliminary discussions with a Latrobe City pharmaceutical manufacturing business on the opportunities presented by CMC in Taizhou.

### **Jiangsu Provincial Government – Foreign Affairs Office**

Led by Mayor Councillor Dale Harriman, Latrobe City officials met with Jiangsu Provincial Government – Foreign Affairs Office in Nanjing.

The purpose was to explore, build relationships and receive an update on a range of future collaborative investment opportunities and current market trends in the province which has a sister state relationship with Victoria.

Key discussion highlights:

- 1% of the earth, 6% of the population (80 million), 10% GDP (6,500 Billion Yuan)
- 96 of top 500 Chinese companies present in the Jiangsu Province
- 3,150 Chambers, with 256,000 members
- Offered Latrobe City businesses 6 month free warehouse rental in Nanjing ports area to assist with establishing business in China
- City Alliance Nanjing – Latrobe City

### **Federation University Australia – Beijing Office**

Led by Mayor Councillor Dale Harriman, Latrobe City officials met with Federation University Australia Beijing Office personnel. The purpose was to build relationships, support initiatives in Australia/China and promotion of Latrobe City as a place of international education and exchange.

Key discussion highlights:

- Possible exchange program – Federal Government funded
  - Follow up require with David Battersby & Harry Ballis for support in China
- Seminars – City fairs for education (March, July & October best times)
- Latrobe City marketing in mandarin – Education, Tourism & Living (live, work & play etc)
- Latrobe City Campus – Marketing Gippsland & China social media platforms



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- Utilise China's social media platforms and websites for promotion and activation

### **Foresun Group – Beijing**

Led by Mayor Councillor Dale Harriman, Latrobe City officials met with Foresun Group to explore, build relationships and receive an update on a range of future collaborative investment opportunities and current market trends.

#### Key Discussion Highlights:

- Tabro Meats Co. initiatives and support
- Management group grateful of Latrobe City Council's with Tabro meats
- Neche for Foresun Poultry Company
- Whole of life cycle – farm to dinner plate
- Partnering with banks and markets
- Expanding further – Sth America, Uruguay and Argentina
- Grow to 21 production facilities across China
- 2 more factories purchased in Uruguay
- New quality of meat brand to be introduced into China from Australia
- Enquire about acquiring farms in Australia
- Kept process the same way as Tabro Meats, made no changes
- Interested in developing and expanding Tabro Meats in Moe, seeking support from Latrobe City
- Difficult to do business in Australia, don't know how to market to Australians
- Looking for suppliers of intestine/sausage making products
- Looking to set up exchange for cattle hides

### **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**

In 2015/2016 Latrobe City Council has an allocation within its International Relations resources to accommodate the delivery of 2015 Sister Cities Sports Exchange Program.

Key Actions	Timeline	Resources
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Conduct an overseas / sister cities exchange biennially. In 2015/2016 a Sports Exchange program will take place.	15/16	\$25,000
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The associated individual expenses and income for participation in the 2015 Sports Exchange Program to China and delegation are outlined below.

Sports Team Member Expenditure	Amount
Airfares	\$1,385.00
Insurance	\$170.00
Accommodation, Transport, Meals & Cultural Activities	\$1,523.63
Visa	\$109.50
Uniforms	\$281.60
<b>TOTAL</b>	<b>\$3,469.73</b>

While there was a significant contribution made by Council in terms of funding the trip, the majority of the program was funded through corporate sponsorship, major fundraising initiatives and individual contributions.

The amount per team member to participate in the program was reduced through individual fundraising. The final individual contribution varied from \$77.00 to \$1,257.00.

In terms of Latrobe City Councillor and Officer expenses to Council, those associated with the travel of Councillor Dale Harriman, Phil Stone, General Manager City Development, Bruce Connolly, Manager Economic Development and Jason Membrey, Coordinator Events and International Relations were accommodated in the 2015/2016 budget.

Councillor Dale Harriman Expenditure	Amount
Airfares	\$2,918.00
Accommodation, Transport & Meals	\$2010.63
Chinese Visa	\$109.50
Insurance	\$190.00
<b>TOTAL</b>	<b>\$5,228.13</b>

Phil Stone Expenditure	Amount
Airfares	\$2,496.00
Accommodation, Transport & Meals	\$2010.63
Chinese Visa	\$109.50
Insurance	\$170.00
<b>TOTAL</b>	<b>\$4,786.13</b>

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Bruce Connolly Expenditure	Amount
Airfares	\$1,764.00
Accommodation, Transport & Meals	\$2010.63
Chinese Visa	\$109.50
Insurance	\$190.00
<b>TOTAL</b>	<b>\$4,074.13</b>

Jason Membrey	Amount
Airfares	\$1,385.00
Accommodation, Transport & Meals	\$1,959.63
Chinese Visa	\$109.50
Insurance	\$170.00
Uniforms	\$281.60
<b>TOTAL</b>	<b>\$3,905.73</b>

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

Latrobe City undertook an extensive community engagement program over a three month period. Activities included:

- Ten promotional features in the Latrobe City Noticeboard
- Two Community Information Briefings
- Correspondence to schools within Latrobe City
- Correspondence to all Tennis Associations within Latrobe City

The itinerary was discussed both directly and via correspondence with Council's Sister Cities, Latrobe City Council, Latrobe City International Relations Committee, Team Coach, Team Manager, parents and guardians who were all kept fully informed of developments through regular newsletters and meetings.

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

The engagement was successful which resulted in a total of 10 participants participating in the 2015 Sports Exchange Program to China.

### **OPTIONS**

1. That Council notes this report
2. That Council request further information

### **CONCLUSION**

The 2015 Latrobe City Sports Exchange to China was extremely successful in terms of strengthening Latrobe's Sister City relationships and

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achieving Council's aims and objectives of its International Relations Program.

Through the program, we have now exposed a further 10 Latrobe City students and their families to our Sister Cities and the wider Chinese cultures. This has been duplicated in Taizhou, China with 10 host families reaping the benefits of our Sister Cities relationships and programs.

Council has committed itself to the development of its Sister City relationships and the pursuit of opportunities that arise from such relationships. It is important that Latrobe maintains face to face relationships and reciprocates visits by delegations to Latrobe.

In addition, as a component of the exchange, Latrobe City Council Mayor and officers were also able to participate in a number of business focus meetings and discussions with key Chinese stakeholders.

**SUPPORTING DOCUMENTS**

Latrobe City Sister City Visits Policy – 12 POL-1

**Attachments**  
Nil

# INFRASTRUCTURE AND RECREATION

**15. INFRASTRUCTURE AND RECREATION**

**15.1 COUNTRY FOOTBALL AND NETBALL PROGRAM**

**GENERAL MANAGER**

**Infrastructure and Recreation**

**For Decision**

**PURPOSE**

The purpose of this report is to present to Council recreation projects that are eligible to be submitted for funding under the State Governments Country Football and Netball Program and to request that Council select a project to be prepared for submission for the 2015/16 funding program.

**EXECUTIVE SUMMARY**

The State Government of Victoria has recently announced funding for 2015/16 Country Football and Netball Program.

Council officers have reviewed all plans and strategies and expressions of interest forms received from local sporting clubs: The projects to be considered are:

1. Traralgon Recreation Reserve Oval Lighting Project
2. Tyers Recreation Reserve Oval Lighting Project

If the selected project is successful in obtaining funding, a financial commitment is required from Council for the 2016/17 financial year for the selected project.

**RECOMMENDATION**

That Council:

1. Endorse the submission of a funding application for the Traralgon Recreation Reserve Oval lighting project under the 2015/16 Country Football and Netball Program.
2. If successful with the funding application, seek \$450,000 funding from the 2016/17 budget.

Cr Harriman declared an indirect interest under Section 78A of *The Local Government Act* 1989 in respect to this item.

Councillor Dale Harriman left the meeting, the time being 08:05 PM

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### MOTION

**Moved:** Cr Kam  
**Seconded:** Cr Gibson

#### That Council:

1. **Endorse the submission of a funding application for the Tyers Recreation Reserve Oval lighting project under the 2015/16 Country Football and Netball Program.**
2. **If successful with the funding application, seek \$150,000 funding from the 2016/17 budget.**

**For:** Councillors Rossiter, Kam and Gibson

**Against:** Councillors White, Sindt, O'Callaghan, Middlemiss and Gibbons

### LOST

### MOTION

**Moved:** Cr Middlemiss  
**Seconded:** Cr Rossiter

#### That Council:

1. **Endorse the submission of a funding application for the Traralgon Recreation Reserve Oval lighting project under the 2015/16 Country Football and Netball Program.**
2. **If successful with the funding application, seek \$450,000 funding from the 2016/17 budget.**

**For:** Councillors Rossiter, White, Sindt, O'Callaghan, Middlemiss and Gibbons

**Against:** Councillors Kam and Gibson

### CARRIED

### DECLARATION OF INTEREST

No officer declared a conflict of 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: Appropriate, affordable and sustainable facilities, services and recreation*

**BACKGROUND**

The Country Football and Netball Program provides funding to assist grassroots country football and netball clubs, associations and umpiring organisations to develop facilities in rural, regional and outer metropolitan locations.

Only rural, regional and outer metropolitan Councils can apply directly to Sport and Recreation Victoria.

Country football and netball clubs, associations and umpiring organisations can register their interest in applying for funding by submitting an Expression of Interest in applying for funding by submitting an Expression of Interest to their local Council. Council then review and select the Expressions of Interest they wish to endorse, and submit full applications to Sport and Recreation Victoria for consideration. Applications close on Thursday 11 February 2016.

Improving participation outcomes is a key objective of the program. Applications must clearly demonstrate how the project will improve participation outcomes. Examples of potential projects include:

- Modifying existing football and netball facilities to improve usage and provide access and provide access such as:
  - Unisex change room facilities and amenities for players and umpires
  - Multi-purpose meeting space
- Development or upgrading football and netball playing surfaces.
- Development or upgrading of football or netball lighting.

Councils must discuss their project proposal with a Sport and Recreation Victoria representative before submitting applications.

Councils should incorporate universal design principles and environmentally sustainable design into their projects. Projects must meet the relevant standards (i.e. lighting projects should comply with Australian standards for their respective sport).



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Councils are encouraged to explore funding models that demonstrate stakeholder commitment to the project. Facilities planned in functional, self-contained stages are eligible.

Councils may be successful in receiving up to \$100,000 per financial year. This can comprise of one large project seeking \$100,000 or up to three smaller projects across different site. At the discretion of the Country Football and Netball Program Steering Committee, only councils invited to resubmit applications can reapply to the following assessment period of the program.

Sport and Recreation Victoria funding towards total project costs (excluding GST) will be based on the following ratios:

Table 1

Funding Available	Local government authority	Funding ratios
Up to \$100,000** Councils may be successful in receiving the total maximum funding of \$100,000 consisting of up to three applications per financial year.	Greater Dandenong, Kingston, Frankston*	SRV \$1:\$1 local
	Mornington Peninsula, Nilumbik, Yarra Ranges, Ballarat, Bendigo and Geelong	SRV \$1.5:\$1 local
	Rural (including Latrobe City Council)	SRV \$2:\$1 local

\*Clubs competing in leagues affiliated with AFL Victoria Country are eligible to apply

\*\*Consideration will be given to claiming in-kind expenses to a maximum of 50 per cent of the total project cost. Councils must approve and underwrite any in-kind contribution.

The Country Football and Netball Program is a significant funding opportunity for Council to assist with the funding of football and netball related projects.

In order to ensure that all relevant football, netball and umpiring clubs and associations were aware of this funding opportunity, an email was sent to all Latrobe City based football, netball and umpiring clubs and associations, as well as AFL Gippsland and Netball Victoria on 30 September 2015.

This email provided details about the funding opportunity and the relevant timeframes for the submission of Expressions of Interest to Latrobe City Council. Expressions of Interest closed with Council on Friday 6 November 2015.

The timeframes have been developed in order for officers to review all Expressions of Interest applications, provide Councillors with a briefing report about the applications received, and have projects endorsed by Council prior to the February 11, 2016 application deadline.

### **KEY POINTS/ISSUES**

A number of factors and issues require consideration when nominating projects for funding, in addition to the requirements set out by the State Government. These include:

1. Expressions of Interest forms completed by community or sporting clubs/organisations.

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2. Strategic alignment with applicable Council adopted recreation strategies and plans.
3. A resolution of Council.

In order to access projects for potential funding, an eligible project must have been subject to adequate scoping and planning. This includes:

- Community engagement,
- Detailed design (i.e. Building plans, lighting plans etc.)
- Building and/or planning approval,
- Site tenure and:
- Comprehensive financial cost assessment.

In the context of assessing all eligible projects under the 2015-16 Country Football and Netball Program, officers have prepared a list of potential projects from Council's adopted recreation plans and Expression of Interest forms received from the following community clubs/organisations:

- Morwell Junior Football Club (formerly Morwell Tigers Junior Football Club and Youth Club)
- Tyers Football Netball Club
- Churchill Football Netball Club

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Table 2

Reserve	Project description	Nomination method	Design / Costings Yes/No	Total Cost	Club contribution	Council Cost	Strategy / Plan
Traralgon Recreation Reserve Oval	Construction of lighting	Identified in the draft Traralgon Recreation Reserve & Showgrounds master plan	Yes – full detailed design	\$550,000	N/A	\$450,000	Draft Traralgon Recreation Reserve & Showground master plan
Northern Reserve Morwell	Upgrade to change facilities	Expression of Interest	No – concept design only	\$60,000 approx	\$5,000	\$15,000	Not currently identified
Tyers Recreation Reserve	Lighting upgrade to oval	Expression of Interest	A lighting design is complete, but costings still need to be finalised	\$250,000	\$5,000	\$145,000	Northern Towns Outdoor Recreation Plan
Gaskin Park	Reconstruction of the netball courts*	Expression of Interest	Yes	\$136,400	36,400	N/A	<i>* This project is not consistent with the Gaskin Park master plan. The master plan recommends that the current netball courts be relocated to in between Gaskin 1 &amp; 2 ovals</i>

From the above table there are two projects that are sufficiently scoped, planned, designed or financially assessed for submission to the 2015-16 Country Football and Netball Program:

- Traralgon Recreation Reserve & Showgrounds Lighting Project
- Tyers Recreation Reserve Lighting Project

The Traralgon Recreation Reserve & Showgrounds Lighting Project is a very strongly presented project. The project “shovel ready”, with detailed design and costings having been completed for a previous funding submission lodged in January 2015. The lighting project is designed to deliver 750 lux lighting to the wicket area and 500 lux to the outfield of the oval. These lux levels are suitable for non-televised elite level AFL, Cricket and Soccer.

Feedback provided from Sport and Recreation Victoria strongly supports the submission of this project, given its strong strategic justification, ability to increase participation in a range of sports, including AFL, Cricket and Soccer and strong links to providing a specialised venue for signature events and programming.

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The lighting project for the Tyers Recreation Reserve is also a strong project, with a full lighting design having been completed during 2014. The project will provide 200 lux lighting which meets the AFL's preferred lighting standard of 150 lux. Whilst a lighting design has been completed, full detailed costings for the project are yet to be obtained. It has been estimated that this lighting design will cost approximately \$250,000 to deliver.

The other projects in the table have not been sufficiently scoped, planned, designed, financially assessed or are inconsistent with an adopted strategy or plan to be considered for submission to the 2015-16 Country Football and Netball Program.

Officers have sought feedback from Sport and Recreation Victoria regarding the Northern Reserve Morwell pavilion upgrade proposal. Recently the two junior football clubs in Morwell, Morwell Youth Club and Morwell Tigers Junior Football Club amalgamated due to declining participation in junior AFL in Morwell. The club is now known as the Morwell Junior Football Club.

The club will be utilising both pavilions at Northern Reserve, but are seeking assistance in upgrading the old Morwell Tigers pavilion, updating the toilet/shower area, and enlarging the home rooms and kitchen area. A concept plan has been developed, however this will require further work to ensure that it meets AFL guidelines the principles of universal design and more detailed costings to ensure that the project can be effectively delivered.

For a project to be considered for submission the following processes and documentation need to have been undertaken to support a successful application:

- Schematic/detailed design/plans developed with stakeholder input
- Professional lighting plans (for lighting projects)
- Detailed building plans (for building projects)
- Soil testing for lighting projects
- Building permits (including permits for light poles etc.)
- Planning permit (where required)
- Quotes, internal cost estimates
- Quantity survey, tender price or independent qualified expert reports for projects only over \$500,000
- Evidence of confirmation of funding sources, including in-kind support
- Letters of support (including support from peak sporting bodies, etc.)
- Consistent with and supported by Council adopted plans and strategies.

**RISK IMPLICATIONS**

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

Both projects that are presented in this report for consideration for funding are “shovel ready” and have been subjected to detailed design and community engagement. There are now very limited opportunities to submit funding applications to external funding bodies such as Sport & Recreation Victoria. A successful funding application will attract \$100,000 in funding for the selected project.

**FINANCIAL AND RESOURCES IMPLICATIONS**

If a project is successful in attracting funding from the Country Football and Netball Program, there will need to be a Council contribution in the 2016/17 budget.

If the Traralgon Recreation Reserve Oval Lighting Project is selected, it will require \$450,000 Council funding in the 2016/17 financial year. If the Tyers Recreation Reserve lighting project is selected, then \$150,000 funding will be required from Council in the 2016/17 financial year.

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

The projects identified for application to the State Government form part of an existing Council Strategy/Plan/Policy/program or resolution with additional nominated projects by community sporting clubs.

Significant community consultation and engagement was undertaken in the formation of each of the plans details in the report to Council for endorsement.

*Details of Community Consultation / Results of Engagement:*

Significant community consultation and engagement was undertaken as part of the development of the following plans, which have been adopted by Council:

- Northern Towns Outdoor Recreation Plan 2010
- Draft Traralgon Recreation Reserves & Showgrounds master plan

**OPTIONS**

1. Select the Traralgon Recreation Reserve Oval Lighting Project for application to the Country Football and Netball Program. This is the preferred option as the funds will enhance a regional facility, detailed design is complete and the project has been highly considered by the Sport & Recreation Victoria.
2. Select Tyers Recreation Reserve Oval Lighting Project for application to the Country Football and Netball Program. The detailed design is complete and the project has been costed however this is not the preferred option.

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3. Choose not to apply for a project to submit to the Country Football and Netball Program for 2015/16.

### **CONCLUSION**

The Country Football and Netball Program presents a great opportunity for local governments' to assist with the funding of football and netball projects that normally would not be able to be fully funded by Council.

The Country Football and Netball Program is a highly competitive state-wide funding program, with only a small number of significant projects funded on an annual basis. There has been no commitment by the Victorian government to fund this program beyond the 2015/16 financial year.

Latrobe City Council has only two projects that can potentially be submitted for the 2015/16 Country Football and Netball Program.

A summary of the two potential submissions is as follows:

<b>PROJECT</b>	<b>TOTAL COST</b>	<b>COUNCIL CONTRIBUTION</b>
Traralgon Recreation Reserve Oval lighting project	\$550,000	\$450,000
Tyers Recreation Reserve Lighting Project	\$250,000	\$150,000

### **SUPPORTING DOCUMENTS**

Nil

**Attachments**  
Nil

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Councillor Dale Harriman returned to the meeting, the time being 08:25 PM

**15.2 BURGAN REMOVAL****General Manager****Infrastructure and Recreation****For Decision****PURPOSE**

The purpose of this report is to present for consideration the options available under the Latrobe Planning Scheme for the removal of Burgan (*Kunzea ericoides*) from within Council managed bushland reserves and other areas where it is considered a problem.

**EXECUTIVE SUMMARY**

Burgan (*Kunzea ericoides*), is a tea-tree like shrub that is native to Victoria and is common within Latrobe City. The species is widely regarded as invasive and has become increasingly dominant in Latrobe City's urban bushland reserves. It out-competes other native species by creating a dense mid-storey canopy, shading out other desired understorey species and preventing the regeneration of and competing with canopy species including Eucalypts. Over time and without natural disturbance events such as fire, it has a tendency to dominate a site and consequently lessen biodiversity value.

Despite these problems, Burgan is a native species and is therefore protected under clause 52.17 of the Latrobe Planning Scheme, and a permit is required to remove, destroy or lop it.

It is not the intention of the Planning Scheme to prevent work that should maintain or enhance biodiversity values in bushland areas however, the current requirement for a planning permit to remove Burgan is resulting in this outcome.

The cost imposition of applying for a planning permit and the associated native vegetation offsets required under current legislation is prohibitive and unviable.

As specified by the Department of Environment, Land, Water & Planning (DELWP), the only way to avoid offsetting requirements is to accompany a planning permit application with a Property Vegetation Plan (PVP) for each site. This PVP needs to include comprehensive information about the vegetation condition of the particular site along with a 10 year management schedule that demonstrates 'no net loss' or a 'gain' in biodiversity value over time. The length of time and costs associated with the provision of this documentation has been found to be prohibitive and has led to volunteers of certain bushland reserve committees becoming extremely frustrated and even resigning.

Apart from the planning permit requirements described above, the only other options are to seek an amendment to the planning scheme to make removal of Burgan exempt from requiring a planning permit or lobby State

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government to amend the 'Permitted Clearing of Native Vegetation' legislation and Victorian Planning Provisions.

Research has been undertaken by Council officers to look at the feasibility of introducing a Planning Scheme Amendment and the costs associated seem extremely prohibitive. In addition to this, discussions with DELWP have not provided any certainty that this would be supported.

The only feasible option as deemed by Council officers is to continue with the planning permit application process and development of PVP's for Crinigan Bushland Reserve and Ollerton Avenue Bushland Reserve and for Councillors to address the issue with appropriate State Government Ministers.

**RECOMMENDATION**

That Council;

1. In association with the affected Committees of Management engage a suitably qualified ecological consultant to produce Property Vegetation Plans and apply for planning permits for removal of Burgan as required.
2. Engage with the appropriate State Government Ministers and request changes to clause 52.17 of the Victorian Planning Provisions to make removal of Burgan exempt from requiring a planning permit.



**MOTION****Moved:** Cr Middlemiss**Seconded:** Cr Gibson**That Council:**

1. **Engage with the appropriate State Government Ministers to request changes to clause 52.17 of the Victorian Planning Provisions to make removal of Burgan exempt from requiring a planning permit.**

**Discussions and correspondence with these Ministers to highlight;**

- a. **The long delays currently involved in obtaining Burgan removal permits (up to two years).**
  - b. **Bush Fire concerns of urban residents living close to Burgan infestations.**
  - c. **Concerns by Latrobe City Flora Reserve Committees of Management that Burgan infestations are damaging the bio-diversity and sustainability of these reserves which are among the last remnants of the original Latrobe Valley flora.**
  - d. **The loss of Flora Reserve volunteers as a result of frustration at the inability to obtain authority to remove encroaching Burgan.**
  - e. **Concerns of farmers where Burgan from road reserves is colonising farm land.**
  - f. **Community concerns that Burgan infestation of road reserves was the primary fuel load of the Bush Fire which put Morwell at risk and resulted in the Morwell Mine Fire.**
2. **Engage with the appropriate State Government Ministers to request immediate authority to commence Burgan removal from Council's flora reserves.**

**For:** Councillors Rossiter, White, Sindt, O'Callaghan, Middlemiss, Harriman, Gibbons and Gibson

**Against:** Councillor Kam

**CARRIED**

**MOTION**

**Moved:** Cr White  
**Seconded:** Cr Harriman

**That Council grants an extension of time for Cr Middlemiss.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

No officer declared a conflict of 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 – Natural Environment*

*In 2026, Latrobe Valley enjoys a beautiful natural environment that is managed and protected with respect to ensure a lasting legacy for future generations.*

*Latrobe City Council Plan 2013 - 2017**Theme and Objectives**Theme 5: Planning for the future*

*Strategic Direction – Work with stakeholders to maintain and enhance the natural environment and biodiversity of Latrobe City and the region.*

**BACKGROUND**

Burgan (*Kunzea ericoides*), is a tea-tree like shrub which grows up to five meters tall. It is native to south-eastern Australia and New Zealand and grows in a wide variety of vegetation types and habitats. Despite Burgan's indigenous status, the species is widely regarded as invasive in disturbed regrowth and cleared land. For example, at Ollerton Avenue Bushland Reserve in Newborough, rather than making up 4% of the shrub layer as would be expected, 18%-100% of the shrub layer is now dominated by Burgan.

The federal Department of Environment, the Victorian Department of Environment Land Water & Planning, Parks Victoria, catchment management authorities and the Victorian National Parks Association all recognise that in certain circumstances Burgan can spread and dominate native vegetation to such an extent that it acts like a weed, creating dense thickets that exclude other indigenous species and lower biodiversity.

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Burgan has a number of characteristics which make it problematic in our bushland reserves:

- It is an early coloniser of bare ground, disturbed areas and clearings and can actively invade established native vegetation.
- It out-competes other native species by creating a dense mid-storey canopy, shading out ground-storey species and preventing the establishment of other potentially overtopping species.
- New Burgan plants continue to grow amongst mature stands of Burgan, meaning its dominance will continue for many decades.
- Fire is unlikely to kill mature Burgan, and Burgan is the most likely species to re-establish after fire, so that without intervention, Burgan dominated vegetation is likely to continue indefinitely.
- Burgan invasion into open eucalypt forest results in an elevated fuel layer which was previously absent, this increases fire intensity and the chance that a passing bushfire will kill mature canopy trees and destroy the soil seed bank.

Of particular frustration to volunteer committees who manage our bushland reserves, it grows most densely around bushland edges:

- Next to firebreaks, making fuel loads in reserves appear much greater than they often are.
- In dense stands along walking paths, reducing visibility for reserve users.
- Encroaches into cleared areas, causing problems for mowing and maintenance.

Despite these problems, Burgan is fully protected under the Latrobe Planning Scheme, and a permit is required to remove lop or destroy it.

Existing exemptions that enable farmers, home owners and utility providers to carry on their day to day business do not exist for the maintenance or management of bushland reserves.

After many years of trying to work through the permit process to remove Burgan, two volunteers from Ollerton Avenue Bushland Reserve in Newborough, and one volunteer from Crinigan Bushland Reserve in Morwell, have tendered their resignations directly citing this issue.

### Permits and Planning Scheme Amendments

There are currently two permit options available for removing Burgan; a permit with a native vegetation offset, and a permit without a native vegetation offset. A planning scheme amendment to exempt Burgan from requiring a planning permit is an alternate option.

A permit with a native vegetation offset is the standard type of permit for anyone wanting to remove native vegetation. It is used when biodiversity values will be lost, such as when removing bushland to widen a road or build a house. Removal of vegetation needs to be undertaken during the limited period of time in which the permit is valid, usually two to three

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years. Purchasing an offset and applying for a permit is a reasonably fast process, but offsets are costly to either purchase or create, and are beyond the means of our volunteer committees of management. This type of permit should not be necessary for our bushland reserves, given that the reduction in Burgan will actually result in a net increase in biodiversity values, rather than a loss.

A permit without a native vegetation offset is a more specialised type of permit, with an approved Property Vegetation Plan required by the Department of Environment Land Water & Planning (DELWP). This type of permit takes into account the fact that Burgan removal will result in a net increase in biodiversity values. It is considered to be a cheaper option as no offsets are required, however the evidence required to support this type of permit is at the discretion of DELWP. Removal of vegetation needs to be undertaken in line with an approved Property Vegetation Plan which lasts for ten years and places ongoing regulatory commitments on the reserve managers. Council officers have been pursuing a permit of this type for Ollerton Avenue Bushland Reserve, Newborough and Crinigan Bushland Reserve, Morwell since 2012. To date, approximately \$23,000 has been spent developing supporting documentation; however the process and evidence requirements remain somewhat unclear with no clear timeframe for when a permit application may be lodged.

A Planning Scheme Amendment, to exempt removal of Burgan from requiring a planning permit, is a possibility. Latrobe City Council would not be setting a precedent, as a number of Victorian Councils already have particular native species listed as weeds in their schemes, with Nillumbik Shire Council listing Burgan specifically, and Yarra Ranges Shire Council currently considering it. The wording of the amendment could specify where the exemption applies, and to what extent, which would limit any unintended impacts an exemption may have. Given the invasive nature of Burgan, it is unlikely that an exemption for its removal would result in the loss of the species over any significant area of the municipality. The ongoing nature of an exemption could enable volunteer reserve managers to manage Burgan in line with long term fluctuations in Burgan growth and spread, as well as fluctuations in volunteer resources and funding.

Importantly, and side from all of the above, the State Government is currently reviewing the existing 'Permitted Clearing of Native Vegetation' legislation and significant changes are expected late in 2017. Removal of problem species including Burgan is one of the issues being considered in this review and supporting this may be worthwhile.

**KEY POINTS/ISSUES**

Burgan has been identified as an invasive weed which can lead to biodiversity loss primarily in modified bushland areas, including urban bushland reserves.

Volunteers who manage bushland reserves are concerned with the impact that increasing levels of Burgan have been having on the biodiversity of their reserves; however the cost and difficulty of the permit process has

prevented them from undertaking any work. This is a situation that has been going on for many years.

Existing planning scheme controls for protection of homes from bushfire, which allow owners to clear native vegetation around their homes, are considered sufficient. An exemption for the removal of Burgan on the grounds of bushfire protection for homes is not considered necessary.

Burgan growing in cleared non-bushland areas provides habitat to small birds and mammals, and provides soil stability. Removal of Burgan in these areas may result in a decrease in biodiversity and an increase in other weeds.

### **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 risk associated with this report.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

No budget has been allocated for the purchase of native vegetation offsets.

Two planning permits without offsets for Ollerton Avenue Bushland Reserve and Crinigan Bushland Reserve are continuing to be pursued with existing resources and budgets.

The delivery of a future Planning Scheme Amendment to exempt Burgan may need to be considered as part of the relevant Department's existing resourcing capacity or as part of future business planning and budget planning processes.

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

Internally, the Environment Sustainability team, Recreation Liaison team and Emergency Management team have been consulted and kept informed of the issues associated with this problem.

Externally, feedback was sought from DELWP Environment and Natural Resources division, who are supportive of a Planning Scheme Amendment, as long as there is a limitation on the extent of removal that is allowed and some form of auditing required. The local government Biodiversity Planning Network, Nillumbik Shire Council and Yarra Ranges Shire Council provided technical feedback on the feasibility of options and their use in other Council areas. Discussions have been also been held with a number of volunteer groups who manage bushland reserves, including members of Crinigan Bushland Reserve Committee of Management, Friends of Crinigan Bushland Reserve, Ollerton Avenue Bushland Reserve Committee of Management and Moe Yallourn Rail Trail Committee of Management.

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

Community consultation has been in alignment with Council's community engagement principles in that all affected groups have been kept informed at all times via Committee meetings and all volunteers were invited to a briefing with Council officers, Councillors and a representative from DELWP.

### **OPTIONS**

<b>Method</b>	<b>Details</b>	<b>Timeframe</b>	<b>Cost</b>
Planning Permit with native vegetation offset	Permit expires after 3 years. Location specific. No limits on species or extent of removal. Does not take into account any environmental benefit.	2 months	Depends on size. e.g. \$8,000 for 1 ha, or \$68,000 for the whole of Ollerton Avenue Bushland Reserve, or \$235,000 for whole of Crinigan Bushland Reserve.
Planning Permit without native vegetation offset	Location specific. Limits which species and to what extent they can be removed. Property Vegetation Plan (PVP) is required to be implemented for 10 years.	Unknown (4 years active pursuit to date)	Unknown - to date \$23,000 on consultant's reports and plans to support permit applications for Ollerton Avenue Bushland Reserve and Crinigan Bushland Reserve.
Planning Scheme Amendment without Panel	Exemption is ongoing. Can cover multiple locations as desired. Can limit which species and to what extent they are removed as desired. Likely that a PVP or some form of auditing will be required.	12 months	\$3000
Planning Scheme Amendment with 1-2 day Panel	As above.	18 months	\$30,000-40,000
Amendment to Victorian Planning Provisions including an exemption for removal of Burgan	Discussions required with State Government Ministers.	12 months	N/A

**CONCLUSION**

The cost imposition of applying for a planning permit with offsets, for work that will improve biodiversity but generate no financial income is unviable.

The costs associated with implementing a Planning Scheme Amendment to exempt the removal of Burgan from requiring a planning permit are prohibitive. In addition to this, there is no guarantee that the Department of Environment, Land, Water & Planning or a planning panel would support this proposal. Add to this the fact that the legislation around removal of native vegetation is currently under review, seeking changes to the local planning scheme that may be implemented state wide late in 2016 does not make much sense.

While the time and costs associated with preparation of information, including a Property Vegetation Plan are significant, submitting a planning permit application seems to be the only feasible option at this stage. Given that consultants reports and the required data have already been obtained and paid for, it makes sense to proceed with this option in the short term.

As mentioned above, the legislation associated with removal of native vegetation is currently under review and lobbying the State Government to make changes that would omit the requirement for a planning permit would definitely be worthwhile.

**SUPPORTING DOCUMENTS**

Nil

**Attachments**  
Nil

**15.3 RECREATION - PLANNING FOR THE FUTURE**

**General Manager**

**Infrastructure and Recreation**

**For Decision**

**PURPOSE**

The purpose of this report is to present Council with recommendations for designs to be completed during 2015/16 for a range of recreation projects.

**EXECUTIVE SUMMARY**

Council has recently allocated \$400,000 from the 2014/15 budget surplus towards the design of recreation projects that align strongly with funding opportunities to the Victorian government's Community Sports Infrastructure Fund.

A workshop was conducted with Councillors on 9 November 2015 to discuss the current status of recreation plans and strategies and to present a draft list of projects suitable to consider for further design and possible submission to future funding opportunities.

This report presents the projects that are recommended to be designed with the \$400,000 capital works allocation.

In addition to a broad range of projects to be designed, an allocation of \$70,000 is requested to fund the Latrobe City Council Recreation Needs Assessment, for which a funding application has already been submitted to for the 2016/17 Community Sports Infrastructure Fund – Planning.



**ORDINARY COUNCIL MEETING MINUTES  
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**Moved:** Cr Gibson

**Seconded:** Cr White

**That Council endorse the design of the following projects:**

- 1. Morwell Recreation Reserve Multi-use pavilion - \$50,000**
- 2. Monash Reserve Multi-use Netball/Tennis court & pavilion design - \$50,000**
- 3. Morwell Recreation Reserve Oval lighting design - \$20,000**
- 4. Design for the reconstruction of the Pax Hill Tennis Courts, design of the Warren Terrace Oval, design for the reconstruction of the Flynn Tennis courts, design for the reconstruction of the Morwell East netball court - \$20,000**
- 5. Design for the reconstruction of the Flynn Hall - \$10,000**
- 6. Design for the upgrade to the Harold Preston Reserve pavilion (Traralgon City) - \$20,000**
- 7. Design for the upgrade to Burrage Reserve Soccer pavilion - \$20,000**
- 8. Design for the upgrade of the Ronald Reserve pavilion (Morwell East Football Netball Club) - \$30,000**
- 9. Modular design for various female friendly facilities, including Burrage Reserve (Baseball/Cricket), Traralgon Recreation Reserve (AFL/Netball), George Bates Reserve Yallourn North (AFL/Netball), Crinigan Road South Reserve (Soccer), Hazelwood South Reserve (Soccer), Apex Reserve (AFL/Cricket), Duncan Cameron Reserve (AFL/Cricket), Kevin Lythgo Reserve (Baseball)**
- 10. Catterick Crescent Reserve pavilion (AFL/Cricket) - \$20,000**
- 11. Traralgon South Recreation Reserve pavilion - \$20,000**
- 12. Recreation Needs Assessment - \$70,000**

**For:** Councillors Rossiter, White, Sindt, O'Callaghan, Middlemiss, Harriman, Gibbons and Gibson

**Against:** Councillor Kam

**CARRIED**

**DECLARATION OF INTEREST**

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

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### **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: Appropriate, affordable and sustainable facilities, services and recreation*

### **BACKGROUND**

Each year Council has an opportunity to submit funding applications to the State government to assist with the funding and delivery of recreation projects.

Earlier this year, the State government announced the Community Sports Infrastructure Fund, which will fund recreation projects in Victoria for the next four years. The program provides a range of funding opportunities, including:

**Table 1. Community Sports Infrastructure Fund - Programs**

<b>Funding Programs</b>	<b>Purpose</b>	<b>Maximum Grant</b>
Better Pools	To build new or upgrade existing pools	\$3 million
Major Facilities	Develop or upgrade major sport and recreation facilities	\$650,000
Small Aquatic Projects	Upgrade pools and aquatic leisure facilities	\$200,000
Minor Facilities	Develop or upgrade local sport and recreation facilities	\$100,000*
Female Friendly Facilities	Build new or upgrade existing change facilities to prioritise female participation	\$100,000*
Cricket Facilities	Develop or upgrade cricket facilities	\$100,000*
Planning	Initiatives that assess the future sport and recreation needs	\$30,000

\*Council can only submit a maximum of three funding applications for Minor Facilities, Female Friendly Facilities and Cricket Facilities combined.

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

A number of factors and issues require consideration when nominating projects for funding, in addition to the requirements set out by the State Government. These include:

- Expressions of Interest forms completed by community or sporting clubs/organisations.
- Strategic alignment with applicable Council adopted recreation strategies and plans.
- A resolution of Council.

In order to access projects for potential funding, an eligible project must have been subject to adequate scoping and planning. This includes:

- Community engagement,
- Detailed design (i.e. Building plans, lighting plans etc.)
- Building and/or planning approval,
- Site tenure and:
- Comprehensive financial cost assessment.

The 2016/17 Community Sports Infrastructure Fund has recently closed, with Latrobe City Council submitting the following projects to the program:

- Traralgon Recreation Reserve & Showgrounds Lighting Project – Major Facilities
- Glengarry Recreation Reserve Tennis/Netball pavilion – Female Friendly facilities
- Stoddart Oval pavilion upgrade – Cricket Facilities
- Joe Tabuteau Reserve pavilion upgrade – Minor Facilities
- Latrobe City Council Recreation Needs Assessment - Planning

At the 17 August 2015 Ordinary Council meeting, Council resolved the following:

### **MOTION**

*Moved: Cr Middlemiss*

*Seconded: Cr Gibbons*

*That Council conduct a workshop with Councillors to prioritise applications for sporting facility funding and progressing projects to the point of “shovel ready” and other factors required for the application processes and to adopt a consistent process for the future.*

### **CARRIED UNANIMOUSLY**

### **KEY POINTS/ISSUES**

An opportunity exists for Council to prepare for the next round of the Community Sports Infrastructure Fund, which will open in June/July 2016 for funding in the 2017/18 financial year.

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To ensure that Council is adequately prepared, and has good quality projects to submit, a review of all recreation plans and strategies has been completed.

Since 2006, Latrobe City Council has undertaken a significant number of recreation based strategies, outdoor recreation plans and site specific recreation master plans. These include:

- Recreation & Leisure Strategy – 2006
- Traralgon Outdoor Recreation Plan - 2007
- Public Open Space Plan – 2007
- Moe Outdoor Recreation Plan – 2007
- Morwell Outdoor Recreation Plan – 2008
- Gippsland Hockey Facilities Plan – 2008
- Tennis Plan – 2008
- Soccer Plan – 2008
- Skate & BMX Plan – 2009
- Southern Towns Outdoor Recreation Plan – 2009
- Northern Towns Outdoor Recreation Plan – 2010
- Hazelwood North Sports Facility Due Diligence report – 2010
- Gippsland Regional Sporting Facilities master plan – 2010
- Gaskin Park master plan 2011
- Public Open Space Strategy – 2013
- Traralgon South Recreation Reserve master plan – 2013
- Moe Tennis Needs Assessment – 2014
- Traralgon Outdoor Recreation plan – 2014
- Morwell Recreation Reserve Precinct master plan – 2014
- Warren Terrace Reserve master plan – 2014
- Moe Newborough Outdoor Recreation Plan - 2015

Council also has a number of plans and strategies which are currently in draft which have also identified recommendations. These include:

- Draft Traralgon Recreation Reserve & Showgrounds master plan
- Draft Catterick Crescent Reserve master plan
- Draft Maryvale Reserve master plan
- Draft Tracks, Trails and Paths Strategy
- Draft Play Space Strategy

Recently, Council allocated \$400,000 from the 2014/15 budget surplus to the design of recreation projects.

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A workshop with Councillors was held on the 9 November 2015 about the status of recreation strategies and plans and presenting a draft short list of projects to be designed that align strongly with the Community Sports Infrastructure Fund program guidelines.

Following a thorough review of all Council adopted recreation plans and strategies, the following projects are being recommended for design during 2015/16 because of their strong strategic alignment to the Community Sports Infrastructure Fund program guidelines. Each project has been assigned to the available funding stream.

Table 1

Funding Program	Design funding 15/16	Estimated Design cost	Funding 17/18
<b>Community Sports Infrastructure Fund – Major</b>	Morwell Rec Reserve Multi-use pavilion (Cricket, AFL, Netball)	\$50,000	Council can submit one application for funding of up to \$650,000.
	Latrobe City Synthetic Sports Field pavilion	Design completed	
	Monash Reserve Multi-use Netball/Tennis Court & pavilion design	\$50,000	
	Gaskin Park Multi-use pavilion	Design completed	
<b>Community Sports Infrastructure Fund - Minors</b>	Morwell Recreation Reserve Netball Court Reconstruction	Design completed	Council can submit three applications for up to \$100,000 per project for the Minors, Female Friendly Facilities and Cricket Facilities. Only 2 applications from a single category can be submitted: i.e.: <ul style="list-style-type: none"> <li>• 1 female friendly application</li> <li>• 2 Minor applications</li> </ul>
	Lighting design for Morwell Recreation Reserve Oval	\$20,000	
	Design for various tennis & netball courts including Pax Hill Tennis Courts, Warren Terrace Oval, Flynn Tennis Courts and Ronald Reserve Netball Courts	\$20,000	
	Design for reconstruction of Flynn Hall	\$10,000	
	Design for upgrade to the Harold Preston Reserve Pavilion (Traralgon City)	\$20,000	
	Design for upgrade to Burrage Reserve Soccer pavilion	\$20,000	
	Design for the upgrade of the Ronald Reserve pavilion (Morwell East FNC)	\$30,000	
<b>Community Sports Infrastructure Fund – Female Friendly Facilities</b>	Modular Design for various Female Friendly Facilities  Upgrades are required at the following reserves: <ul style="list-style-type: none"> <li>• Traralgon Rec Reserve (AFL/Netball)</li> <li>• George Bates Reserve Yallourn North – (AFL/Netball)</li> <li>• Ronald Reserve Morwell (Soccer)</li> <li>• Crinigan Road South Reserve (Soccer)</li> <li>• Hazelwood South Reserve (Soccer)</li> </ul>	\$50,000	As above

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	<ul style="list-style-type: none"> <li>• Moe Olympic Reserve (Soccer)</li> <li>• Apex Reserve (AFL/Cricket)</li> <li>• Duncan Cameron Reserve (AFL/Cricket)</li> <li>• Kevin Lythgo Reserve (Baseball)</li> </ul>		
<b>Community Sports Infrastructure Fund – Cricket Facilities</b>	Catterick Crescent Reserve pavilion (Cricket/AFL)	\$20,000	As above
	Traralgon South Rec Reserve pavilion	\$20,000	
<b>Community Sports Infrastructure Fund - Planning</b>		\$70,000	Latrobe City Council Recreation needs assessment. Council has submitted a funding application to the Community Sports Infrastructure Fund 2016/17 for \$30,000 funding
<b>Total</b>		<b>\$380,000</b>	

In addition to the design of a range of recreation projects, an allocation of \$70,000 is requested for the Latrobe City Council Recreation Needs Assessment. This allocation is required to support the funding application that was recently submitted by Council to the 2016/17 Community Sports Infrastructure Fund - Planning.

The purpose of a Recreation Needs Assessment is to document the current and future sport and active recreation needs of the Latrobe City community. The needs assessment will draw together and prioritise all the recommendations emanating from Council's draft and endorsed recreation plans and strategies.

The project objectives are to:

- Review all Latrobe City Council recreation plans and strategies.
- Determine the status of projects identified in the recreation plans and strategies.
- Identify all user groups/stakeholders of Latrobe City recreation facilities, including:
  - Recreation reserves & associated facilities
  - Traralgon Indoor Sports Stadium
  - Indoor Leisure facilities
  - Outdoor pools
- Identify all sports and active recreation pursuits that are active within the municipality.
- Identify trends and needs in regard to sport and active recreation within the municipality.
- Include mapping of all current sport and active recreation provision in Latrobe City.

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- Analyse population and demographic changes that will impact on the provision of sports and active recreation facilities with Latrobe City.
- Document existing demand and issues for sport and active recreation within the current population.
- Compile current participation data for the identified sport and recreation activities across the municipality. Compare this with the Australian Sport and Recreation participation data.
- Analyse community future demand that may impact on levels of participation in sport and active recreation in Latrobe City.
- Develop a funding policy for projects identified through the Recreation Needs Assessment

Latrobe City Council currently has over 500 recommendations or actions in its endorsed recreation plans and strategies. The methodology in attributing a priority to each of these recommendations has changed throughout the years.

The majority of the recommendations or actions have been attributed to Council to deliver, and they have been developed on a township basis, rather than a sport, activity or participation based hierarchy.

### **RISK IMPLICATIONS**

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

Council has over 500 recreation projects identified in a range of recreation plans and strategies. Most of these projects have not been subject to design or further planning.

The Victorian government has committed to funding the Community Sports Infrastructure Fund for the next four years. In order to submit a funding application to a range of funding streams under this program, projects need to be fully designed and costed.

Council does not currently have a suite of projects that are design and costed that it can submit to this funding program.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

Council has allocated \$400,000 from the 2014/15 budget surplus for the design of recreation projects. The projects that are recommended in this report align strongly to the funding guidelines for the Victorian Governments Community Sports Infrastructure Fund.

Projects that may be submitted to the 2017/18 Community Sports Infrastructure Fund will require matching funding from Council to support a funding application.

### **INTERNAL/EXTERNAL CONSULTATION**

The projects identified for design form part of an existing Council Strategy/Plan/Policy/program or resolution.

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Significant community consultation and engagement was undertaken in the formation of each of the plans details in the report to Council for endorsement.

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

Significant community consultation and engagement was undertaken as part of the development of the following plans, which have been adopted by Council:

- Morwell Outdoor Recreation Plan 2008
- Gippsland Hockey Facilities Strategic Plan 2008
- Tennis Facilities Plan 2009
- Soccer Facilities Plan 2009
- Southern Towns Outdoor Recreation Plan 2009
- Northern Towns Outdoor Recreation Plan 2010
- Draft Gippsland Regional Sporting Facilities Plan (2010)
- Gaskin Park Master Plan 2011
- Traralgon South Recreation Reserve Master Plan 2013
- Public Open Space Strategy 2013
- Warren Terrace Reserve master plan 2014
- Morwell Recreation Reserve Precinct master plan 2014

### **OPTIONS**

Council have the following options:

1. Endorse the projects recommended for design.
2. Not endorse the projects recommended for design.
3. Nominate and endorse alternative projects for design.

### **CONCLUSION**

Council has allocated \$400,000 towards the design of recreation projects that strongly align to future funding opportunities.

A thorough review of Council's endorsed plans and strategies have been undertaken and a range of recommendations for design have been identified.

A list of projects for design has been prepared. These projects align strongly with the guidelines of the Community Sports Infrastructure Fund.

### **SUPPORTING DOCUMENTS**

Nil

**Attachments**  
Nil



**15.4 KITCHEN TO COMPOST TRIAL**

**General Manager**

**Infrastructure and Recreation**

**For Decision**

**PURPOSE**

The purpose of this report is to provide Council with an update on the Kitchen to Compost trial conducted in Churchill and the associated project proposal from Sustainability Victoria to Building Victoria's Organics Recovery.

**EXECUTIVE SUMMARY**

The 'Kitchen to Compost Trial' commenced in Churchill 24 February 2011, to approximately 1900 households using BioBins, BioBags, kerbside green organics collection and processing conducted by PineGro at their Monash Way, Morwell Site, for a period of six months. Following the trial a Gippsland Business Case was provided to Latrobe City Council for consideration. (Refer to Attachment 1) Council Officers conducted cause and effect scenarios to verify the impending cost to rates to implement such and undertaking and highlighted several cost assumptions that were not included in the business case. A confidential report was presented to Council 16 September 2013, recommending not to proceed with the proposed recovery of food and organics. This recommendation was adopted.

The management of organics recovery is complex and should be determined using qualitative and quantitative evidence, some of which has been provided via several mediums noted above.

Future solutions may become available at the outcome of Gippsland Resource Recovery and Waste Management Services and Infrastructure EOI process, therefore it is proposed that any future management of organics including food be considered when this process is finalised and can provide a sustainable outcome for the community.

**MOTION**

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

**That Council:**

1. **Receives this report and notes that any future advancement in a satisfactory solution from EOI - Gippsland Resource Recovery and Waste Management Services and Infrastructure be the instrument for the management of organics recovery in conjunction with the Waste Management Strategy.**
2. **Defers any decisions for the management of green organics recovery until the proposed EOI - Gippsland Resource Recovery and Waste Management Services and Infrastructure is finalised that may provide cost effective and sustainable options.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

No officer declared a conflict of 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 - Natural Environment*

*In 2026, Latrobe Valley enjoys a beautiful natural environment that is managed and protected with respect to ensure a lasting legacy for future generations.*

*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*

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*Strategic Direction* – Work with stakeholders to maintain and enhance the natural environment and by diversity by Latrobe City and the region.

Deliver and promote environmentally sustainable waste management services that meet the expectations of the community and industry.

*Strategy & Plans – Natural Environment*

Natural Environment Sustainability Strategy 2008-2013.  
Latrobe City Council Waste Management Strategy 2010-2017.

### **BACKGROUND**

This report shall be based on the Gippsland Waste Resource and Recovery Group's Executive Summary Food Trial and notes the confidential report to Council on the 16 September 2013 as the two papers are closely associated and define Council's position for the management of organics including food waste. Leading on from the 'Kitchen to Compost Trial' results (referred to in attachment 1), in February 2013 Sustainability Victoria met with Council officers to discuss opportunities for organics recovery in Latrobe City.

In March 2013, the State government as part of its new 'Conserve, Invest and Save Strategy' announced plans to help reduce the amount of food and organic waste going to landfill.

The State government committed \$2 million towards '*Building Victoria's Organics Recovery*' (BVOR), targeting major provincial areas of Victoria that generate large volumes of waste to establish or improve organics recovery systems and/or facilities that can divert over 8,000 tonnes of new organic material from landfill per annum.

Using this criterion Sustainability Victoria approached Bendigo, Ballarat and Geelong, as well as the Gippsland region via the Gippsland Regional Waste Management Group (GRWMG). To achieve the organics diversion rate any potential project would be required to include both Latrobe City and Baw Baw Shire Council's.

Baw Baw Shire has been selected by Sustainability Victoria and GRWMG to partner with Latrobe City Council as both Council's currently operate a 'three bin' system collecting garden organics and have the highest residential population in Gippsland.

### **KEY POINTS/ISSUES**

In late May 2013, Sustainability Victoria and GRWMG met with officers from Latrobe City and Baw Baw Shire to discuss in broad terms a proposal to divert food waste/organics from the general household garbage bin to the organics recycling bin (green bin) via a full scale 'Kitchen to Compost' program, similar to the trial conducted in Churchill in 2011.

Sustainability Victoria advised officers from Latrobe City/Baw Baw Shire that the proposed project has supporting funding of \$1,150,000 to implement; \$500,000 from Sustainability Victoria and \$650,000 from

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GRWMG. Officers were further advised that a project agreement must be signed by December 2013 to access the funds.

In July 2013, a high level business case was received, discussing the project feasibility, ongoing cost to Council, project timeframes, infrastructure provisions, collection contract implications, communications plan and processing facility infrastructure implementation (Sustainability Victoria's – Building Victoria's Organics Recovery – Gippsland Business Case. This confidential document was prepared by GRWMG on behalf of Baw Baw Shire Council and Latrobe City Council.

The Garden and Food Organics for Baw Baw and Latrobe City – Gippsland Business Case as noted above was not complete in its assumptions regarding the cost to implement such an undertaking and would have increased the cost of the garbage charge excessively. A request to Sustainability Victoria to discuss the possibility of providing funds for a full cost analysis was denied, therefore the project was not considered.

There is currently an EOI - Gippsland Resource Recovery and Waste Management Services and Infrastructure being assessed and may provide future provisions for infrastructure and services to recover and process green organics for the region.

**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**

Many of the risks with the proposed project are discussed in the issues section of the confidential 16 September 2013, Council report, including procurement and competitive neutrality risks, increased financial cost to rate payers and impact on current contracts.

There is a significant financial impact on Council to undertake this project; estimated two year nett cost to Council after funding for implementation is \$1,905,350 and ongoing additional operational contract cost are \$556,300 per year to continue the food and garden organics collection project.

As the request for diversion of funds was denied a full cost analysis could not be completed to provide the impact on landfill operations or cost savings.

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

Since February 2013 meetings and discussions have been held, both separately and collectively with:

- Sustainability Victoria
- Gippsland Regional Waste Management Group
- Baw Baw Shire Council

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- Latrobe City's Kerbside Collection contactor (TPI Cleanaway)
- Latrobe City Organics Recycling Processor (PineGro).

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

These discussions have included:

- Project drivers and timeframes
- Funding requirements
- Governance and procurement concerns
- Business case and feasibility of the project
- Significant financial impact of project
- Infrastructure requirements and EPA licencing
- Community adoption and education

### **OPTIONS**

Council have the following options available:

1. Not accept the GWRRG's Gippsland Regional Green and Food Organics Report as the principal recommendation for the management of organics recovery.
2. Lobby Sustainability Victoria to fund (through the landfill levies – Sustainability Fund) a full cost benefit analysis and business case to determine the impacts on: rates, community expectations, landfill, existing contractual agreements and competitive neutrality risks.
3. Defer any decisions for the management of green organics recovery until the proposed EOI - Gippsland Resource Recovery and Waste Management Services and Infrastructure is finalised that may provide cost effective and sustainable options. This is the preferred option; through the proposed EOI future solutions may become available which may be more cost effective than current practices.

### **CONCLUSION**

The management of organics recovery is complex and should be determined using qualitative and quantitative evidence, some of which has been provided via several mediums such as the 'Kitchen to Compost Trial' and corresponding 'Gippsland Regional Green and Food Organics Report' and 'Sustainability Victoria's Building Organics Recovery Fund – Gippsland Business Case'.

Future solutions may become available at the outcome of Gippsland Resource Recovery and Waste Management Services and Infrastructure EOI process.

There is a significant financial impact on Council to undertake this project; estimated two year nett cost to Council after funding for implementation is \$1,905,350 and ongoing additional operational contract cost are \$556,300 per year to continue the food and garden organics collection project.

**SUPPORTING DOCUMENTS**

Nil

**Attachments**

1. Gippsland Waste Resource and Recovery Group's Executive Summary Food Trial

## **15.4**

### **Kitchen to Compost Trial**

- 1 Gippsland Waste Resource and Recovery Group's  
Executive Summary Food Trial ..... 455**

## **Executive summary**

### Background

Gippsland Regional Waste Management Group (GRWMG) is a statutory authority that works in partnership with the six Gippsland Councils and the community to minimise municipal solid waste generation, prevent litter, maximise resource recovery and recycling, and minimise waste disposal to landfill.

The current performance of the Gippsland Region as a whole is good, with the average diversion of waste collected at the kerbside 46%. This positions Gippsland in the top three performing regions of the thirteen regions in Victoria.

Each of the member Councils offer a kerbside collection of waste materials. Of the member Councils in Gippsland, Baw Baw, East Gippsland and Latrobe City have a three bin kerbside system in place. South Gippsland, Wellington and Bass Coast do not collect garden organics at kerbside.

In partnership with its member Councils, GRWMG has undertaken waste audits from 2008 to 2010 to better understand the characteristics of the waste material collected in the kerbside garbage bin (red lidded 120 ltr mobile garbage bins are used in all Gippsland municipalities).

Audits show a dramatic reduction (6 fold) in the presence of garden organics can be seen in a three bin system with fortnightly garden organics collection frequency compared with a two bin system without garden organics collection (2.74% vs 17.97% respectively averaged (2008-2010)). The three bin system however, has larger portions of both food and residual. The portion of recyclable material in the garbage bin is equivalent in both systems.

Despite the differences in characteristics **the weight of material being sent to landfill remains almost identical.**

It is clear through analysis of the materials within the garbage bin that, in particular the proportion of food contained was an area to focus attention. Benefits to either introducing a food stream to the existing garden organics collection or preventing (minimising) food from being deposited in the garbage bin (home based systems) should be tested.

It is useful to compare the potential diversion possible in a two bin system and compare the economic performance each service provides. If the organic content of the waste bin could be reduced in both collection formats offered by Gippsland Councils, there could be a significant reduction in material to landfill across Gippsland.

Furthermore, the environmental impact that organic material breaking down in landfill (anaerobic) will cause, such as;

- greenhouse gas emissions (approximately 50% Methane & 50% Carbon Dioxide),
- odour production at the landfill site,
- attraction of vermin to the disposal site, and
- acidification of the waste mass within the landfill leading to mobilisation of heavy metals deposited in the landfill in leachate (contaminated water);

could be reduced.



#### Food and Garden Organics Diversion

Funding was used to undertake the following trials that focussed on the capture and processing of garden and food organics:

1. a combined kerbside collection of organics – garden and food – in two targeted townships where a garden organics kerbside collection exists on a fortnightly basis;
2. equipment for composting and worm farming in households where there is no access to a garden organics kerbside collection;

A targeted project and engagement plan was developed to inform and educate stakeholders. These were tailored for;

- Trial Participants – Householders;
- Supporting Partners – Council officers and Councillors from participating Councils, Composters, Collection Contractors, Community Service Clubs, EPA Victoria.

This report focuses on the activities and outcomes of the trials conducted with householders that received either a combined garden and food kerbside collection and the provision of composting and worm farming devices to householders who are provided with a two bin system.

Project stakeholders included the local councils, councillors, collection contractors, local distributors of materials, suppliers of the products used as well as development of instructional/educational materials. These stakeholders assisted in the shaping, delivery and participation in the local kerbside collections of combined organics and for the compost bin and worm farm trials.

Gippsland Water and Pinegro Products provided in-kind support through processing and monitoring of the collected material, advice regarding the economic viability and practicality of the processes as well as testing of finished product to determine quality standards.

Cleanaway TPI and Tambo Waste provided initial collection data upon which volumes for composting and supplies for the composting process were calculated. They also provided feedback as to the viability and practicality of the collection systems employed.

A local farmer in Mallacoota, John Andersen provided in-kind decontamination of delivered kerbside organics and carried out the composting processing for the Mallacoota trial.

Other groups became engaged in the project through in-kind support or other involvement. In Churchill the Rotary Club of Hazelwood distributed the infrastructure to households while in Mallacoota this was undertaken by the members of the Lions Club and Friends of Mallacoota. The Golden Beach compost and worm farming trial was supported by the newly formed garden club and the community newsletter team.

Extensive desk-top and media research was undertaken in the selection of systems for the Gippsland trials and included discussions with existing or previous system users. This was then extended to manufacturers and/or distributors of equipment and systems to verify aspects such as cost, performance, availability and delivery times.

Verification of a suitable kerbside food and garden organics composting process led to a site visit to Goulburn, NSW. The 'Groundswell' project was a three year project supported by the NSW Environment Trust Urban Sustainability Program. Branded 'City to Soil', the project collected food and garden organics from households and composted the material using Vital

Resource Management (VRM) effective microbes, a product developed by Queensland firm, Vital Resource Management Pty Ltd.

#### Kerbside Collection Trials

Kerbside trials were conducted in Mallacoota (500 households) and Churchill (1900 households).

Mallacoota is a small town in the East Gippsland region of Victoria, Australia. The town has a permanent population of approximately 1,000. At holiday times, particularly Easter and Christmas, the population increases by about 8,000. The material was composted by a farmer located north of Genoa who at the time the farmer was successfully composting abalone and fish waste, using sawdust from a local mill to moisture condition the material and as a carbon source, with the resulting product used as a soil conditioner on his property.

Pinegro Products Pty Ltd has a licensed composting facility at Morwell and currently processes Latrobe City and Baw Baw Shire's garden organics. In order for Pinegro to include food waste (putrescibles) in the composting process during the trial period, GRWVG assisted Pinegro to lodge a Research Development and Demonstration (RD&D) application with EPA Victoria. Approval of the RD&D enabled the combined food waste and garden organics collected from Churchill to be processed at Pinegro's Morwell facility.

Gippsland Water received material at its Soil and Organic Recycling Facility (SORF), at Dutton Downs. The facility employs in-vessel composting infrastructure with odour control equipment to remediate a number of solid and liquid waste streams accepted at the site. At the time the trial was undertaken, any compost material produced was used within the Gippsland Water property, either on the cropping land or farming pasture or to remediate former waste management lagoons (i.e. no established external market).

After analysing information and prices on a range of caddies and bags, including a paper organics collection bag from Canada, the Biobag Australasia's BioBag® MaxAir® System was chosen for the kerbside trial.

The selection was based on the level of development and refinement of the kitchen caddy and its' subsequent capacity to reduce the moisture content of the BioBag® ingredients to both minimise odour and maintain the integrity of the bag were significant factors in the decision.

Each household in Churchill and Mallacoota would receive the following infrastructure or 'tools' to assist them divert food and kitchen waste from the residual bin in to the garden organics bin;

- a MaxAir® BioBin,
- a roll of 75 BioBags®,
- an information/instruction leaflet, and a
- fridge magnet and shopping list pad

It was determined that community groups/service clubs would be approached to undertake the roll-out for a fee. Apart from providing the group/club with income it was seen as a means of creating some community 'buy-in' to the project and developing community advocacy. The service clubs were very happy to support the trial. Instruction were prepared and provided to the nominated clubs

Based on the pre-trial audit results and kerbside garden waste/organics collection data obtained from the waste contactors in both Churchill and Mallacoota, anticipated volumes of material for composting were calculated.

The program was readily adopted by both communities involved in the kerbside trials. Many Churchill residents expressed disappointment when the trial ended and people outside the collection area had asked if they could become involved or enquired as to the timeframe for rollout of the program in their neighbourhood.

The popularity of the system in Mallacoota and the keenness of the community to reduce its' transport footprint saw it successfully lobby the East Gippsland Shire to continue the combined pick-up and processing at the completion of the trial, pending analysis of the trial's outcome and economic analysis.

Audit results showed bread and meat continued to be disposed of via the rubbish bin rather than in BioBags™ in the organics bin. More emphasis or priority needs to be given to the diversion of these products via the organics bin in future.

The audits in Churchill showed a 29% and 33.7% drop in the weight of garbage bin contents presented in May and August respectively compared with the baseline weight (8.05kg) presented prior to the trial in October 2010. The reduction is largely attributed to removal of food (reduction of 2.2kg and 2.6kg in May and August respectively), however there is clear evidence that improved diversion of recyclables (reduction of over 0.5 kg in each audit) contributed to the decline. This could potentially be a result of recyclable containers being emptied of their contents and then recycled or a result of enhanced engagement.

Participation was good with 80% of households included in the August sample having at least one BioBags™ with food in their garden organics bin (approx. 71% in May). Most households audited presented more than one BioBags™ to the garden organics bins, three households presented only bio-bags containing food to the garden organics bin (i.e. no garden waste). Morwell Pinegro site, there were too many un-composted large pieces left at the end of the effective microbe composting process by comparison to Pinegro's usual composting process, which involves chipping the material prior to the windrow composting commencing.

The audits in Mallacoota indicate an 18.2% and 24.9% drop in the weight of garbage in bins presented in May and September respectively, compared with the baseline weight (8.02kg) presented prior to the trial in November 2010. The reduction is largely attributed to removal of food (reduction of 1.5kg and 2.3kg in May and September respectively), however there is also evidence that improved diversion of residual waste and recyclable containers contributed to the reduction.

Seven of the audited garbage bins had no food waste in May and five contained no food waste in September.

#### Concerns with Large Scale Composting

Composting operations are often associated with poor odour control and odour issues can be exacerbated through the introduction of putrescible wastes (such as food waste) to the feedstock. This is usually accommodated by the requirement for large buffer distances from sensitive receptors such as residences and inhabited buildings. Scientific data to evaluate the level of odour produced through particular processes is helpful in predicting or alleviating future foreseeable amenity issues.

Odour testing was conducted at the Pinegro site using six tonnes of freshly delivered kerbside material (approximately one truck load). Odour samples were taken using a temporary enclosure technique with duplicate sampling from the enclosure exit and singleton sampling at the enclosure inlet. Odour concentrations were measured at between 1500 to 1700 OU (Odour Units). This test being duplicated upon turning of the pile, a test for methane was also undertaken. Odour concentrations between 210-230 OU were measured and methane concentration of approximately 4ppm. A third odour test was conducted of a sample of material after undergoing the in-vessel composting process. Odour concentrations between 280-300 OU were measured.

#### Home Composting Trials

There are many models of home compost bins and tumblers to choose from. Cost, style variance for trial comparison, types of material able to be composted and ease of use were determining factors for the choice of units for this aspect of the trial.

Enclosed kitchen caddy models investigated for the home composting/worm farming trails were all comparable in style and price. GRWVG's choice of caddy was predicated on the convenience of delivery that coincided with a composting bin order

Desktop research also was undertaken on a range of the types of composting devices that could be included in the project. A limitation was the cost of some of the devices relative to the numbers required and the project budget.

Householders were given a choice of home devices that they believed would suit their needs. The following devices were offered

The Earth Machine™ (left), a static device with direct connection to the soil beneath and the twin tumbler (right). Two types of worm farm composters were offered. The 'Collins Special' (left) – a hybrid composter with purpose built base to enable air flow and prevent worms from escaping and the Worm Cafe (right), a proprietary stacked unit. The Green Cone Food Waste Digester, was also offered to householders as an option for managing food, including dairy, pasta, meat, fish and bones and pet faeces. It is not suitable for garden waste.

An afternoon and an evening information session were held in each distribution location to cater for childcare and work commitments of intending participants.

Participants were able to contact Nola Anderson, Regional Education Officer, Gippsland Regional Waste Management Group and the respective council officers in Bass Coast (Freya Sibly) and Wellington (Raquel Harris) to assist with any queries or problems. The participants met these people at their respective information/distribution sessions.

A Facebook page was established to provide updates and was aimed to have participants' input, however it was not widely used by participants.

Audits were undertaken during the trial to assess the level of diversion achieved with each of the devices that were utilised. Those with email addresses were also emailed during the trial to seek information on their progress. All participants were asked to complete a questionnaire at the end of the trial period. An additional audit was carried out after the trial had concluded to understand if there had been lasting behaviour change.

Some households located on sandy soil at Golden Beach found microbial activity entering their compost system very slow and hence had an initial slow rate of decomposition. Upon reflection this could have been overcome by the addition of some material from an active compost pile to give the system a kick-start.

An important issue for consideration for future home composting initiatives is the size of back yards and the style of composting infrastructure because of limited or no unpaved areas for units that are required to be placed on the ground for microbial access. Other situations have limited space for a composting unit of any type.

An end of trial survey found people still needed a more universal garden organics disposal option for the larger prunings. If they did not have a method of chipping this material themselves it could not be composted or if they had a worm farm and not a composting unit.

#### Observations and Analysis Kerbside Trial

The system provided in Churchill and Mallacoota was successful, because it was convenient. It was easy to participate because everything the householder required was provided - the householder was enabled.

The system in almost all cases supported the lifestyle choices of the householder and replicated much of the behaviour already displayed. That is, the material is contained (in the case of the trial in a specific compostable bag) and placed in a bin (in the case of the trial in the green lidded garden organics bin).

One major concern is that re-directing food from the garbage bin to a food and garden service or a home based composting device will make available increased capacity (volume) within the garbage bin.

This allows a greater capacity in the garbage bin to discard material from the household that may have been previously repaired, re-used, sold or donated. Effectively the system promotes 'convenient disposal' above the more sustainable aforementioned activities.

This indicates that the household behaviours could be influenced by the capacity provided, with the format of the collection determining the priority for the household to separate the particular material. This is believed to be 'induced demand'.

The key to the effectiveness of the food collection system is making the food and garden organics service the highest priority for the householder to use and encouraging/supporting behaviour change within the household. This service will be responsible for the greatest volume of material.

In achieving this, it will also be necessary to de-prioritised the garbage service. Improvement in the amount of food disposed of in the garden and food organics service will be dependent on how this service is prioritised.

To bring about the most demonstrative change and encourage the greatest participation in diverting food there must be a 'circuit breaker' that reduces the importance of the garbage bin and moves priority to the more desirable services - both the garden organics (with food) and the recycling service.

This can be achieved through the following approaches;

1. Decreasing the volume of the garbage bin (e.g. 80 litres per household per week) or;
2. Reducing the frequency of the garbage bin (fortnightly – effectively 60 litres per household per week for Councils using 120 litre bins).

Additionally, the food and garden organics service as well as the recycling service could be re-prioritised and enhanced through;

3. Increasing the frequency of the garden and food organics (weekly)
4. Increasing the volume of the recycling bin (360 litre or two 240 litre bins).

An option to replace the entire garbage bin infrastructure is extremely expensive and justifiably considered wasteful. Additionally, from an operational perspective, the 80 litre bins have a reputation of being unstable, particularly in steeper terrain. Therefore, this option is not considered practical for Gippsland Councils.

The frequency of residual waste collection is statistically a significant factor in the success of food organics collections. Fortnightly collections of residual waste consistently result in higher weekly food organics participation and yields that are also maintained overtime.

Therefore, the collection format to meet the volume requirements is as indicated below

Lid	Bin Capacity	Material Stream	Collection Frequency	Week
	120 litre Garbage Bin Service (option to reduce to 80 litre for small households and option to increase to 240 litre for larger households)	Residual Waste	Fortnightly (optional weekly for special circumstances)	1
	240 litre Garden Organics Service (optional increase in 240 litre increments for large households)	Food, Grass Clippings and prunings,	Weekly	1&2
	8 litre Kitchen Caddy	Food	Ave. 4 bio-bags per week	200 Bags provided annually to householder
	240 litre Recycling Service (optional 360 litre for large households)	Comingled recyclable containers, paper and cardboard	Fortnightly	2

The comparative cost model is provided below

	Current 2 bin System	Current 3 bin system	Proposed Food & Garden
<b>Garbage</b>			
Sum of Tonnes collected	408.00	416.00	274.30
Cost for Waste Disposal	67.32	68.64	45.26
Cost for Collection	62.40	62.40	31.20
Cost per Household	129.72	131.04	76.46
<b>Recycling</b>			
Sum of Tonnes collected	260.00	260.00	310.00
Sum of Tonnes recycled	247.00	247.00	294.50
Cost for Processing	2.60	2.60	3.10
Cost for Collection	31.20	31.20	31.20
Cost per Household	33.80	33.80	34.30
<b>Garden Organics</b>			
Sum of Tonnes collected	0.00	350.00	580.00
Sum of Tonnes processed	0.00	350.00	580.00
Cost for Processing	0.00	18.40	43.50
Cost for Collection	0.00	31.20	62.40
Cost for Consumables	0.00	0.00	12.00
Cost per Household	0.00	49.60	117.90
<b>Total</b>	<b>\$163.52</b>	<b>\$214.44</b>	<b>\$228.66</b>

#### Observations and Analysis Home Based Composting

The overall picture is one of success. The communities involved were motivated to undertake the trial and appeared to remove food from their garbage bin as genuine priority within the household. This engagement seemed to be sustained in relation to food in particular; however, convenience was a major driver to this.

During the trial, the amount of kitchen waste being diverted from kerbside rubbish bins was significant, with the majority of participants reporting that they were now either depositing no food waste or up to 25% organic kitchen waste in their rubbish bin. Actual bin audits indicate that this was on average approximately 90% still presented in the garbage bin.

Not all of the systems used in the trial were able to compost garden waste, given that most garden waste is not able to be composted in systems such as worm farms and the green cone. It would appear that the trial impacted the participants' management of organic garden waste so that more was composted on site, however the time of the year and seasonal conditions could also have had an impact on pruning activity.

Interestingly, the greatest motivator for householders was the ability to reduce the amount of waste sent to landfill. This was followed by the generation of a fertiliser and the ability to build soil structure. Of note is that the next most popular motivators were the recycling of waste and the reduction of greenhouse gas. This indicates the understanding by householders of the

effects their waste has beyond their own household. It is pleasing to see that, provided with appropriate tools and knowledge, many householders are willing to do something to reduce this effect.

Audits of the garbage bin were conducted during and after the trial. Despite householders reporting that they were actively diverting food and garden waste from landfill the results show very limited overall benefit for reducing the amount of material diverted away from the garbage bin.

The home based systems do not cater for all food materials. Therefore, the householder would require a number of devices to cater for the full suite of food and garden organics generated in the home. Hence the systems are not a one size fits all, nor are they as convenient as kerbside approaches during adverse weather (cold or wet).

Household devices also provide a lower level of control, and a high potential to either fail or be discontinued. Poorly managed systems run the risk of unabated vermin and odour issues with the potential for localised amenity issues and neighbourly disputes (often involving Council officers in dispute resolution).

Based on the finding from this project, without a change to the frequency or the size of the garbage service there will be little benefit to diversion from landfill using home based organic waste units.

However, the devices should not be discouraged. The participants did improve the level of food diversion from their garbage bins and continued this behaviour beyond the trial, unassisted. It is recommended that home based devices be supported, but not subsidised (i.e. a rebate for the purchase of a home composting device) where there is the ability to introduce a combined food and garden service.

Councils wanting to support home composting should be proactive in linking householders with information and troubleshooting reference material and identifying 'master composters' in their communities to support the activity. Additionally support for school (primary/secondary) programs that develop the capacity of our future generation in composting is also strongly recommended.

#### Recommendations

The following recommendations have been developed from undertaking this project.

##### **Recommendation 1**

*It is recommended that all garden waste dropped off at transfer station and garden waste drop off facilities have a charge applied, notwithstanding the fire danger periods where Councils encourage the removal of vegetation as a mitigation measure.*

##### **Recommendation 2**

*It is recommended that Councils specify that processors achieve AS 4454 compliance as a minimum to encourage market demand for the resultant product. Further to this, Councils should also assess the processor's current markets and potential future markets to assure themselves that the product will not be stockpiled.*

##### **Recommendation 3**



*It is recommended that Councils currently offering a two bin system not implement a kerbside garden organics collection service without the intention to accept food waste at some point in the service. Councils should be explicit in the way in which this service is to be introduced to ensure the most competitive tender bid.*

**Recommendation 4**

*That Councils do not invest in home based organics treatment devices as the primary means of diverting food and garden organics from the household (i.e. subsidising the purchase cost of home composting devices).*

*However, Councils are encouraged to provide support through connecting householders to existing information and resources (master composters) regarding home composting.*

*Councils are also encouraged to support and where possible provide resources, to assisting primary and secondary schools develop knowledge and skill in the area of composting to increase the capacity of future generations.*

**Recommendation 5**

*That Councils, in conjunction with providing a food waste collection service, provide the option for multiple or enlarged recycle bins to householders (priority to 360 litre enlarged bin due to collection efficiency). This increase in service should be an incentive for householders (i.e. provided at the lowest possible cost) to encourage up-take.*

**Recommendation 6**

*When introducing a food waste collection service, each household is provided with 200 fully compostable bags each year. These bags must meet Australian Standards AS4736. The bags must be coupled with the relevant kitchen caddy to ensure their optimum performance.*

**Recommendation 7**

*To encourage a high level of participation when introducing a food waste collection service,*

- *the volume made available for household garbage should be reduced (60 to 70 litres per week maximum for the base service).*
- *the food and garden collection is weekly.*

*In the case of a fortnightly food and garden organics collection service, the garbage collection should be in the same week as the garden and food collection*

**Recommendation 8**

*That the collection service follows more closely the disposal needs of the householder. The base system should be aligned to the majority situation with options to raise or lower the capacity on a needs basis. Maintaining frequency is the first priority to keep service costs to a minimum, with adjustments to volume by prioritising material stream as follows;*

1. *Recycling, followed by,*
2. *Garden and food organics, and lastly;*
3. *Garbage.*

**Recommendation 9**

*That Councils set clear performance measures to assess the success of the service. These performance measures should ensure an appropriate level of accountability for the Council, the Contractor and the customer (resident) – representing a shared responsibility. Clear expectations should be communicated in various forms (written, oral and visual) and provided in a variety of forums to ensure widespread understanding of the correct use of the service. Communicating performance (poor or superior) should be open and frank and be backed by evidence.*

**Recommendation 10**

*That Councils invest in specific resources to implement a community engagement plan specifically to address education and enforcement as well as monitoring when introducing any format of kerbside organics collection service.*

**Recommendation 11**

*That opportunities to develop partnerships to support the establishment of organics processing infrastructure be investigated by Gippsland Councils not currently able to access processing capacity. Councils should support partnerships through assistance in identifying appropriate sites to support this activity.*

*That Councils currently able to access processing capacity investigate options for improved economies of scale at the earliest possible opportunity.*

**Recommendation 12**

*That Councils insist on a rigorous quality assurance process when tendering for Food and Garden organics collection and processing and all stakeholders ensure strict adherence to policies and procedures to minimise the level of contamination at the source and at the processing site.*

# COMMUNITY SERVICES

**16. COMMUNITY SERVICES****16.1 FAMILY DAY CARE FEASIBILITY****General Manager****Community Services****For Decision****PURPOSE**

The purpose of this report is to present Council with the Family Day Care (FDC) Feasibility Report regarding the long term future of the Family Day Care Program as required in the Children's Services Plan 2013-2017.

**EXECUTIVE SUMMARY**

From its inception Latrobe City Council (LCC) has been committed to the provision of quality early years services. Child care services have been developed to reflect growing community need with Family Day Care (FDC) and Long Day Care (LDC) programs being an essential part of the Latrobe City landscape throughout the years.

At the Ordinary Council Meeting 18 November 2013, Latrobe City Council endorsed the Children's Services Plan, developed to guide the strategic direction and provision of early years services provided by Latrobe City Council.

The Plan considers that the ongoing financial viability of the direct delivery of services must be considered by Council on an ongoing basis. Specifically the Plan outlines an action to present a feasibility study into the long term viability of the Family Day Care scheme.

Potential, significant changes to FDC Community Support Funding (CSP) were announced during the later stages of 2014 by the Commonwealth Government.

The announcement of these changes, coupled with ongoing challenges in relation to the attraction and retention of educators in the FDC program resulted in a report presented to Council at the Ordinary Council Meeting on 5 November 2014.

At the Ordinary Council Meeting 5 November 2014, Council resolved the following:

1. *That Council note the report.*
2. *That a detailed report be presented to Council in February 2015 following assessment of the ongoing feasibility of the Latrobe City Council Family Day Care Scheme.*
3. *That Council write to the Federal Minister for Education the Hon. Susan Ley and State Minister for Children and Early Childhood Development the Hon. Wendy Lovell MLC requesting confirmation of 2015/16 Community Support Program funding for Latrobe City Council by no later than 20 January 2015.*

The feasibility report shows the financial position of the LCC FDC scheme has had marginal improvement in the current financial year, with this improvement projected to continue into the next financial year as a result of some changes and efficiency gains that have been planned/implemented in the program.

It is not anticipated that this level of efficiency gain will be able to continue into future years, as the recent EFT review has resulted in the program being reduced to minimum staff (based on the amount of educators and service users currently enrolled in the program).

Further, the FDC scheme is seen as a valuable education and care service for the community, however recent trends in educator recruitment and an associated decline in client usage indicate that it is unlikely that the program will grow into the future without significant resource (and financial) investment.

#### **MOTION**

**Moved:** Cr White  
**Seconded:** Cr Gibson

**That Council receives and notes the family day care report, and endorses the proposed service levels and adjustments to support staff accordingly.**

**CARRIED UNANIMOUSLY**

#### **DECLARATION OF INTEREST**

No officer declared a conflict of 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 – Our 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.

##### Strategic Objectives – Economic

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.

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

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

- To promote and support a healthy, active and connected community
- To provide facilities and services that are accessible and meet the needs of our diverse community
- To enhance the visual attractiveness and liveability of Latrobe City.

##### *Theme 3: Efficient, effective and accountable governance:*

- To achieve the highest standards of financial probity and meet all statutory regulations.
- To provide open, transparent and accountable governance.
- Work to minimise rate increases for our community.
- Effectively manage Council debt to minimise long term cost.

##### *Strategic Direction – 02 affordable and sustainable facilities, services and recreation:*

- Work in partnership with all stakeholders to ensure the provision of quality education and care services to the community.

##### *Strategic Direction – 03 Efficient, effective and accountable governance:*

- Continuously review our policies and processes to increase efficiency and quality of our facilities and services we provide.

### Latrobe City Council Children's Services Plan 2013 – 2017

#### *Family Day Care:*

##### *Commitment:*

- Provide accessible, flexible care options for families in accordance with Department of Education and Early Childhood Development (DEECD) and Australian Children's Education and Care Quality Authority (ACECQA).

##### *Actions:*

- Complete a feasibility study into the long term viability of Family Day Care – year 2.
- Present a report to Council with recommendations regarding the long term future of the Family Day Care Program within the existing suite of children's services programs managed by Latrobe City Council – year 2 to year 3.

*What success looks like:*

- Family Day Care assessment is complete with recommendations endorsed and action plan developed or implementation.

### **BACKGROUND**

Latrobe City Council (LCC) is one of the largest single providers of early years services in the Gippsland region and has a strong historic commitment to the provision of accessible early education and care services for families.

The Childcare Strategy adopted by Latrobe City Council in 2006, aimed to improve the wellbeing of families living in Latrobe City by supporting parents and creating an environment that enabled children the opportunity to grow and develop to their full potential.

Review of this Strategy identified a need for it to incorporate the strategic direction and provision of early years services provided by Latrobe City, resulting in the development of the Children's Services Plan 2013-2017 adopted by Council at the Ordinary Council Meeting held 18 November 2013.

The Children's Services Plan makes a commitment to provide accessible flexible care options for families in accordance with DEECD, and ACECQA guidelines. The Plan also outlines an action to present a feasibility study into the long term viability of Family Day Care.

Family Day Care (FDC) is an element of Latrobe City Council's children's services program. FDC is a flexible education and care option, particularly for families who work non-standard hours, who have a need for respite or who prefer accessible care arrangements for their children in a home based environment.

The Latrobe City Council FDC scheme is funded through a combination of the following streams:

- User fees
- Council contribution
- Commonwealth Government funding (Community Support Program)

Potential and significant funding reduction to FDC Community Support Funding (CSP) were announced during the later stages of 2014 by the Commonwealth Government.

The announcement of these changes, coupled with ongoing challenges in relation to the attraction and retention of educators in the FDC program resulted in a report presented to Council at the Ordinary Council Meeting on 5 November 2014.

The report included a commitment by the Child and Family Services team to bring the completion of the Family Day Care feasibility study forward with a feasibility report and associated recommendation to be presented to Council for consideration in February 2015.

At the Ordinary Council Meeting 5 November 2014, Council resolved the following:

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

4. *That Council note the report.*
5. *That a detailed report be presented to Council in February 2015 following assessment of the ongoing feasibility of the Latrobe City Council Family Day Care Scheme.*
6. *That Council write to the Federal Minister for Education the Hon. Susan Ley and State Minister for Children and Early Childhood Development the Hon. Wendy Lovell MLC requesting confirmation of 2015/16 Community Support Program funding for Latrobe City Council by no later than 20 January 2015.*

At the Ordinary Council Meeting 9 February 2015, Council resolved the following:

1. *That Council maintain the Family Day Care program at the current level.*
2. *That the Family Day Care Coordination team is adjusted as required and directly in relation to any reduction of Educator and/or Service Users.*
3. *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.*
4. *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.*

### **KEY POINTS/ISSUES**

Family Day Care is a Commonwealth funded flexible Early Education and Care Service. LCC FDC provides full time, part time, before and after school, weekend, 24 hour and emergency care in the home of qualified Educators and is available seven days a week, 52 weeks of the year, depending on vacancies and educator availability. Care is provided in small groups and educators can care for up to seven (7) children at any one time with no more than four (4) children under school age. LCC has a strong historic commitment to the FDC scheme, which exists within a suite of services managed by the Child & Family Services team.

Over 220 families across the municipality currently utilise the FDC scheme, with a further 53 families on the waiting list. The annual hours of utilisation have declined by 48% over the five years 2009-2014.

The number of educators contracted by LCC to deliver Family Day Care is currently 22 and has declined 45% over the 2009-2015 period. Currently only 50% of the Educators offer care 5 days per week. Based on the current trend and key data such as the median age of FDC educators, it is anticipated the scheme will continue to decline.



## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

The scheme applied for the Community Support Program Funding and was assessed and deemed to meet all requirements to be eligible for funding. Funding is provided annually based on the number of care hours provided and it is anticipated that LCC will receive approximately \$91,500 in the 2015/2016 financial year. Council eligibility will alter if there are changes to the FDC service market (i.e if an additional FDC scheme moves into the municipality)

The projected cost to Council for the overall FDC scheme for the 2015/16 financial year is \$ 98,874.

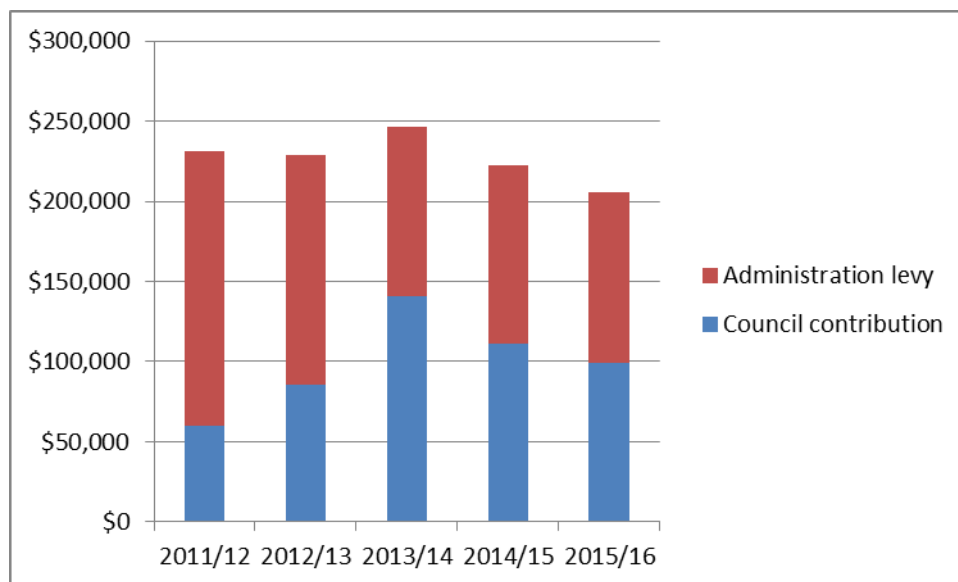
### **RISK IMPLICATIONS**

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**

The cost to Council for the overall FDC scheme for the 2014/15 financial year was \$111,091.00. The projected cost to Council for the overall FDC scheme for the 2015/16 financial year is \$ 98,874.

Significant amendment to the coordination unit at mid-year budget review for the 2014/15 financial year and further during the preparation of the 2015/16 budget, has improved the projected financial outcome of the scheme, reducing the proposed cost to Council by approximately 31% for the 2015/16 financial year.



From the 2012/13 to 2013/14 financial year, the hours of FDC provided reduced by 51,646 hours. This reduction had a significant impact on the income of the FDC scheme through the associated reduction in funding and administration levy collected and subsequently the cost to Council. No adjustments to the Coordination unit were made in this period.

Funding and administration Levy is based on hours of care provided of which we have limited control over.

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

The management team continue to closely monitor the care hours provided and have identified that LCC receive just over \$2.00 per hour of care provided (made up of CSP funding and Administration levy). In the past 16 weeks 39,099 hours of care has been provided. With an average of 111 hours of care per week per educator.

A reduction in 1 Educator would equate to approximately \$11,544 less income. To ensure council contribution doesn't increase it is expected that the coordination team staffing would be reduced as the level of Educators decreases.

Options have been investigated to increase administration levy payable by families to minimise the operational cost of council. LCC is currently charging \$0.90 per hour with our neighbouring councils charging \$0.50 per hour. Larger service providers are charging up to \$1.20 per hour. It is important to note that this fee doesn't receive any rebate from the government for families.

The projected cost to Council for the overall FDC scheme for the 2015/16 financial year is \$ 98,874

### **INTERNAL/EXTERNAL CONSULTATION**

A community survey was undertaken in September 2014 and sought to assess the community's awareness of and requirement for Latrobe City Council's FDC scheme and what factors influence their choice of early education and care.

Survey responses were sought from community members via the Latrobe City Council community sounding board and further distributed through FDC educators to existing service users.

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

A total of 229 respondents completed the survey with 96.5% of respondents noting that they were aware of the scheme. A total of 72.8% reported they would use Family Day Care as an education and care service and cited the home environment, lower educator to child ratios and flexibility of hours as the main reasons for their choice.

A further customer satisfaction survey was conducted in October 2015. The survey has indicated that 100% of respondents currently accessing the service agreed or strongly agreed that they were overall satisfied with the FDC Service.

### **OPTIONS**

1. Cease service at conclusion of 2015/16 financial year:

If the proposed cost to Council and probable ongoing cost is deemed unviable, Council can consider ceasing delivery of the Family Day Care scheme. This option will result in the cessation of a service that is currently being provided to over 220 families living in the Latrobe City municipality. It would also result in the required redundancy or

redeployment of the existing FDC coordination unit and the conclusion of licence agreements with existing 22 FDC educators.

2. If Government funding reduces or continues to diminish, slowly reduce the Latrobe City Council FDC scheme during the 2016/17 financial year with view to concluding the program at the end of that same year:

If the proposed cost to Council and probable ongoing cost is deemed unviable, Council can consider ceasing delivery of the Family Day Care scheme over a period of time. This option will allow the program to end in a planned manner and should allow existing educators and families a period of time to seek alternate contract and care options. This option is likely to result in the redundancy or redeployment of the existing FDC coordination unit; however this will occur over a longer period of time.

3. Maintain program at current level and adjust support staff as required, allowing the program to end naturally:

If the proposed cost to Council and probable ongoing cost is deemed viable, Council can resolve to continue delivering the Family Day Care Scheme by managing a continually declining trend until natural attrition occurs. It is difficult to predict how long this process would take, however based on the current average age of educators and the trend of decline in enrolments it is estimated that it may take up to 10 years, with no new enrolments.

4. Source private service providers to take over management of the program

This option ensures that the service is still available to families in the municipality and provides Educators with the option to continue their business under another provider. Latrobe City Council has been approached by other services who are interested in taking over management of the service. This option is likely to result in the redundancy or redeployment of the existing FDC coordination unit.

5. Continue program and invest in growth and shared delivery models.

Council can resolve to continue delivering the Family Day Care Scheme with a commitment to improved efficiency, including exploration of shared delivery models with neighbouring municipalities, and endeavour to grow the scheme to a point where it becomes financially viable into the future. This commitment would result in the need to continue with the same level of staffing as is in place at the current point in time, regardless of possible decline in educator numbers. It is important to consider that recruitment of new educators has been difficult in recent years (as noted previously in this report) and that the option most likely to result in improved efficiency would be a partnership arrangement with neighbouring municipalities (who have to date been non-committal about this option).

6. A combination of the above options.

### **CONCLUSION**

Latrobe City Council's Family Day Care scheme has experienced a consistent decline in educators and users since 2009. The decline in the number of educators reduces the schemes revenue and compromises the financial viability of the scheme. With Commonwealth support funding also uncertain the scheme faces a significant challenge to remain sustainable from a financial point of view into the future.

The financial position of the LCC FDC scheme has marginally improved in the current financial year, with this improvement projected to continue into the next financial year as a result of some changes and cut backs that have been planned/implemented in the program, it is not anticipated that this level of efficiency gain will be able to continue into future years as the recent cuts have resulted in the program being reduced to minimum staff (based on the amount of educators and service users currently enrolled in the program).

The FDC scheme is seen as a valuable education and care service for the community, however recent trends in educator recruitment it is unlikely that the program will grow into the future without significant resource (and financial) investment.

### **SUPPORTING DOCUMENTS**

Children's Services Plan 2013-2017

FDC Feasibility report 2014

**Attachments**  
Nil

# CORPORATE SERVICES

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

### 17. CORPORATE SERVICES

#### 17.1 ASSEMBLIES OF COUNCILLORS

**General Manager**

**Corporate Services**

**For Decision**

#### PURPOSE

The purpose of this report is to present to Council, the Assembly of Councillor forms submitted since the Ordinary Council Meeting held 16 November 2015.

#### EXECUTIVE SUMMARY

The following Assemblies of Councillors have taken place:

<b>Date:</b>	<b>Assembly Details / Matters Discussed:</b>	<b>In Attendance:</b>	<b>Conflicts of Interest Declared:</b>
15 October 2015	Traralgon CBD Safety Committee Meeting	<b>Councillors:</b> Cr Kam, Cr Rossiter <b>Officers:</b> Andrew Legge, Teresa Pugliese	Nil
10 November 2015	Churchill & District Hub Advisory Committee	<b>Councillors:</b> Cr White <b>Officers:</b> Kate Kerslake, Carole Ayres	Nil
11 November 2015	Latrobe City Cultural Diversity Advisory Committee Meeting	<b>Councillors:</b> Cr Gibbons <b>Officers:</b> Steve Tong, Teresa Pugliese	Nil
19 November 2015	Traralgon CBD Safety Committee Meeting	<b>Councillors:</b> Cr Kam, Cr Rossiter <b>Officers:</b> Andrew Legge, Teresa Pugliese	Nil
19 November 2015	International Relations Committee Terms of Reference Workshop	<b>Councillors:</b> Cr Sindt, Cr White <b>Officers:</b> Jason Membrey, Aki Sakaki, Amy Phillips	Nil
19 November 2015	War Memorial Advisory Committee Meeting	<b>Councillors:</b> Cr Harriman <b>Officers:</b> Henry Morrison, Neil Churton	Nil

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

23 November 2015	Assistant Language Teacher Program – Interviews for 2016 Participate	<b>Councillors:</b> Cr Sindt, Cr Gibbons, Cr White <b>Officers:</b> Jason Membrey, Aki Sakaki	Nil
24 November 2015	Council Workshop 1: Council Plan Review and Financial Position	<b>Councillors:</b> Cr Sindt, Cr Middlemiss, Cr Gibbons, Cr Harriman, Cr Kam, Cr Rossiter, Cr Gibson <b>Officers:</b> Courtney Aquilina, Gary Van Driel, Jamey Mullen, Peter Mangan, Phil Stone, Sara Rhodes-Ward, Sarah Cumming, Nathan Misiurka, Matthew Rogers	Nil
24 November 2015	Yinnar Community Centre Community Engagement Project Steering Committee Meeting	<b>Councillors:</b> Cr White <b>Officers:</b> Liam Bantock, Heather Farley	Nil

### MOTION

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

**That Council receives and notes the Assemblies of Councillors records submitted which have been held within the period 15 October 2015 to 24 November 2015.**

**CARRIED UNANIMOUSLY**

### DECLARATION OF INTEREST

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

#### Attachments

1. Traralgon CBD Safety Committee 15 October 2015
2. Churchill & District Community Hub - 10 November 2015
3. Latrobe City Cultural Advisory Committee - 11 November 2015
4. Traralgon CBD Safety Committee - 19 November 2015
5. International Relations Committee - 19 November 2015
6. War Memorial Committee - 19 November 2015
7. 2016 ALT Recruitment Exercise 23 November 2015
8. Council Workshop 1- 24 November 2015
9. Yinnar Community Centre - 24 November 2015

## **17.1**

### **Assemblies of Councillors**

<b>1</b>	<b>Traralgon CBD Safety Committee 15 October 2015.....</b>	<b>480</b>
<b>2</b>	<b>Churchill &amp; District Community Hub - 10 November 2015 .....</b>	<b>484</b>
<b>3</b>	<b>Latrobe City Cultural Advisory Committee - 11 November 2015.....</b>	<b>486</b>
<b>4</b>	<b>Traralgon CBD Safety Committee - 19 November 2015.....</b>	<b>490</b>
<b>5</b>	<b>International Relations Committee - 19 November 2015 .....</b>	<b>494</b>
<b>6</b>	<b>War Memorial Committee - 19 November 2015 .....</b>	<b>496</b>
<b>7</b>	<b>2016 ALT Recruitment Exercise 23 November 2015.....</b>	<b>498</b>
<b>8</b>	<b>Council Workshop 1- 24 November 2015 .....</b>	<b>502</b>
<b>9</b>	<b>Yinnar Community Centre - 24 November 2015.....</b>	<b>506</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>	Traralgon CBD Safety Committee Meeting
<b>Date:</b>	<b>Thursday 15 October 2015</b>
<b>Time:</b>	<b>9.01 am to 10.04 am</b>
<b>Assembly Location:</b>	(e.g: Town Hall, <i>TOWN</i> , No. xx <i>ADDRESS</i> , Latrobe City Council Offices). <b>Traralgon Police Station, Kay Street Traralgon</b>

### IN ATTENDANCE

<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 checked="" type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Andrew Legge Teresa Pugliese</b>		
<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>• PTV Homesafe late night bus from Melbourne to Traralgon.</li> <li>• Taxi Rank Totems</li> <li>• Local Law Matters; derelict property in the Traralgon CBD.</li> <li>• CCTV</li> <li>• LV Bus lines Late Night Bus Service.</li> <li>• Agency Reports re: the Traralgon Night Time Economy</li> </ul>		
<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:** Teresa Pugliese, Community Development Officer, Thursday 17 September 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):**

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;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*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.*

**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**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:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**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;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as



he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.



## 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>	Churchill & District Community Hub Advisory Committee
<b>Date:</b>	<b>Tuesday 10, November 2015</b>
<b>Time:</b>	<b>5.00pm to 5.50pm</b>
<b>Assembly Location:</b>	Meeting room, Churchill & District Community Hub, Philip Parade, Churchill.

### IN ATTENDANCE

<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 checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Kate Kerslake – a/g Manager Family Services</b> <b>Carole Ayres – Executive Assistant Community Services</b>		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<b>MOU between LCC and Churchill Neighbourhood Centre (Community Garden project)</b> <b>Churchill Town Hall usage as part of Churchill &amp; District Community Hub Strategic Plan Year One actions.</b> <b>Proposed meeting – Cr White &amp; Steve Piasente re retaining wall in yard.</b>		
<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
<b>Officer/s:</b>			
<b>Times that Officers / Councillors left/returned to the room:</b>			

**Completed by:** Kate Kerslake a/g Manager Family Services





**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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providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

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

**Section 80A(3)**

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- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**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;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.



## Assembly of Councillors Record

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<b>Assembly details:</b>	Latrobe City Cultural Diversity Advisory Committee Meeting
<b>Date:</b>	<b>Wednesday, 11 November 2015</b>
<b>Time:</b>	<b>5.00 pm to 7.00 pm</b>
<b>Assembly Location:</b>	Latrobe City Council Offices, Nambur Wariga Room.

### IN ATTENDANCE

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input checked="" 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>Steve Tong Teresa Pugliese</b>		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<p><b>Guest – Sergeant Ben McWilliams, Victoria Police and Youth Advisory groups members, Centre for Multicultural Youth</b></p> <p><b>Presentation – Soula Kanellopoulos spoke about her culture and traditions.</b></p> <p><b>Committee membership and attendance - Latrobe Valley Refugee Service and Gippsland Multicultural Services.</b></p> <p><b>Committee recruitment process and Review of Council Committees.</b></p> <p><b>Upcoming Latrobe City Citizenship Ceremonies.</b></p> <p><b>Latrobe Settlement Network Update.</b></p> <p><b>Members Reports.</b></p> <p><b>Committee meeting dates for 2016.</b></p>		
<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>	
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**Completed by:** Teresa Pugliese, Community Development Officer, 13 November 2015  
**Assembly of Councillors Record Explanation / Guide Notes**  
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**1. Section 80A requirements (re: Written Record to be made by Council staff member):**

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providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*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.*

**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**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:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being



considered by the assembly."

**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;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.





## 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>	Traralgon CBD Safety Committee Meeting
<b>Date:</b>	<b>Thursday 19 November 2015</b>
<b>Time:</b>	<b>9.01 am to 10.04 am</b>
<b>Assembly Location:</b>	(e.g: Town Hall, <i>TOWN</i> , No. xx <i>ADDRESS</i> , Latrobe City Council Offices). <b>Traralgon Police Station, Kay Street Traralgon</b>

### IN ATTENDANCE

<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 checked="" type="checkbox"/> Cr Sandy Kam
	<input type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Andrew Legge Teresa Pugliese</b>		
<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>• PTV Homesafe late night bus from Melbourne to Traralgon.</li> <li>• Taxi Rank Totems</li> <li>• CCTV</li> <li>• LV Bus lines Late Night Bus Service.</li> <li>• Agency Reports re: the Traralgon Night Time Economy</li> </ul>		
<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:** Teresa Pugliese, Community Development Officer, Thursday 17 September 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):**

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;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

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- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**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:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**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;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a



pecuniary interest, disclosure in writing shall be made to the Mayor.





## 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>	International Relations Committee Terms of Reference Workshop
<b>Date:</b>	<b>Thursday 19<sup>th</sup> November 2015</b>
<b>Time:</b>	<b>10.00 am to 1.00 pm</b>
<b>Assembly Location:</b>	Latrobe City Council Offices, Nambur Wariga Room 141 Commercial Road Morwell.

### 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 type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input type="checkbox"/> Cr Sandy Kam
	<input checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Jason Membrey, Coordinator Events and International Relations Aki Sakaki, Acting International Relations Officer Amy Phillips, Coordinator Governance</b>		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<b>Members of Latrobe City's International Relations Advisory Committee met to review the existing Terms Of Reference and draft a new Terms of Reference in accordance with Council's Terms of Reference template.</b>		
<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>	N/A		
<b>Times that Officers / Councillors left/returned to the room:</b>	N/A		



**Completed by:** *(Jason Membrey, Coordinator Events and International Relations 19/11/2015)*

**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):**

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;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended or likely to be subject of a future decision by the Council OR an officer decision under delegated authority.

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**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**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:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**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;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.



## 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>	War Memorial Advisory Committee Meeting
<b>Date:</b>	Thursday, 19 November 2015
<b>Time:</b>	1.00 pm – 2.00 pm
<b>Assembly Location:</b>	Latrobe City Council Corporate Headquarters

### 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 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>	Henry Morrison and Neil Churton		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	Preservation of war memorials located within Latrobe City with representatives of the various RSL sub branches.		
<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>	Nil		
<b>Times that Officers / Councillors left/returned to the room:</b>	Not applicable		



**Completed by:** Henry Morrison Coordinator Property & Statutory Services 19 November 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):**

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:

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- the matters considered;
- any conflict of interest disclosures made by a Councillor attending under subsection (3);
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The above required information is:

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**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;

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- 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;
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- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

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- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**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:

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- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.



## Assembly of Councillors Record

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<b>Assembly details:</b>	Assistant Language Teacher Program – Interviews for 2016 Participate
<b>Date:</b>	<b>Monday 23 November 2015</b>
<b>Time:</b>	<b>2.0 pm to 3.30 pm</b>
<b>Assembly Location:</b>	Latrobe City Council Offices, Krauatungaloong - Public Meeting Room 141 Commercial Road Morwell.

### IN ATTENDANCE

<b>Councillors:</b>	<input checked="" type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input checked="" 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 checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Jason Membrey, Coordinator Events and International Relations</b> <b>Aki Sakaki, Acting International Relations Officer</b>		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<p><b>Recruitment exercise for the 2016/2017 Sister Cities Takasago Japan Assistant Language Teacher (ALT) Program.</b></p> <p><b>Interview panel consisted of members of Latrobe City Councils International Relations Advisory Committee:</b></p> <ul style="list-style-type: none"> <li>• Cr. White</li> <li>• Cr. Gibbons</li> <li>• Cr. Sindt</li> <li>• Jason Membrey, Coordinator Events and International Relations</li> <li>• Aki Sakaki, Acting International Relations Officer</li> </ul> <p>The interview panel recommends Patrick Sloyan as the preferred ALT candidate for 2016/2017.</p> <p>Patrick interviewed exceptionally well, displaying he has all the necessary attributes to fulfil the ALT role.</p> <p>Patrick presented himself as fine young ambassador of Latrobe City and will be a valuable acquisition to the ALT program.</p>		
<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
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	<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>	N/A		
<b>Times that Officers / Councillors left/returned to the room:</b>	N/A		

**Completed by:** (*Jason Membrey, Coordinator Events and International Relations 23/11/2015*)  
**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):**

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

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"**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;

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- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**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**

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## Assembly of Councillors Record

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<b>Assembly details:</b>	Council Workshop 1: Council Plan Review and Financial Position
<b>Date:</b>	24 November 2015
<b>Time:</b>	<b>9:00 – 12:00pm</b>
<b>Assembly Location:</b>	Nambur-Wariga, Latrobe City Council Offices).

### 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 type="checkbox"/> Cr Kellie O'Callaghan	<input checked="" type="checkbox"/> Cr Sandy Kam <b>PHONE HOOK-UP</b>
	<input type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input checked="" type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Courtney Aquilina, Gary Van Driel, Jamey Mullen, Peter Mangan, Phil Stone, Sara Rhodes-Ward, Sarah Cumming, Nathan Misiurka, Mathew Rogers		
<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>- Review of Council Plan 2013-17 (<i>including Themes, Strategic Directions and Indicators</i>)</li> <li>- Financial Position / Financial Sustainability Review project launch</li> <li>- Planning next steps to commence budget preparation</li> </ul>		
<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>	Nil		
<b>Times that Officers / Councillors left/returned to the room:</b>	Nil Councillor Middlemiss, Councillor Harriman, Councillor Gibson arrived within 10-15 minutes of the meeting commencing.		



**Completed by:** (Nathan Misiurka, Manager Performance & Innovation, 24-11-2015)

**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):**

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:

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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;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*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.*

**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**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:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**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;
- disclose the type of interest and nature of interest to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.





## 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>	Yinnar Community Centre Community Engagement Project Steering Committee Meeting
<b>Date:</b>	24 November 2015
<b>Time:</b>	7 pm
<b>Assembly Location:</b>	(e.g: Town Hall, <i>TOWN</i> , No. xx <i>ADDRESS</i> , Latrobe City Council Offices). Yinnar Primary School

### IN ATTENDANCE

<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 checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Liam Bantock & Heather Farley		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	Yinnar Community Centre Community Engagement Project: <ul style="list-style-type: none"> <li>• Draft Concept Plans tabled and discussed</li> <li>• Next steps for the project discussed, including submission of concept plans and project report to Council</li> </ul>		
<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:** (full name, title, date) Liam Bantock, Community Development Officer, 25 November 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):**

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;
- meetings with local organisations, Government Departments, statutory authorities (e.g. VicRoads, etc);

providing **at least 5 Councillors and 1 Council staff member are present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*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.*

**Please note:** an Advisory Committee meeting requires only one Councillor to be in attendance. An advisory committee is defined as any committee established by the Council, other than a special committee, that provides advice to:

- the Council; or
- a special committee; or
- a member of Council staff who has been delegated a power, duty or function of the Council under section 98.

**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:

- (a) immediately before the matter in relation to the conflict is considered; or
- (b) if the Councillor realises that he/she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware of the conflict of interest, leave the assembly whilst the matter is being considered by the assembly."

**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;
- disclose the type of interest and nature of interest to the in writing to the Chief Executive Officer as soon as he/she becomes aware of the conflict of interest. In the instance of the Chief Executive Officer having a pecuniary interest, disclosure in writing shall be made to the Mayor.

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

### 17.2 PROPOSED COUNCIL MEETING DATES FOR 2016

General Manager

Corporate Services

For Decision

#### PURPOSE

To recommend that Council adopts and gives public notice of its meeting dates and times for 2016.

#### EXECUTIVE SUMMARY

It is proposed that council recommences its council meetings in 2016, with the first ordinary council meeting to be held on Monday, 8 February 2016.

The ordinary council meetings will continue to be supported through the three-weekly cycles, which include two confidential councillor briefing meetings and public presentations. Special council meetings may be called where they are deemed required and in accordance with legislative requirements.

#### **MOTION**

**Moved:** Cr Gibson

**Seconded:** Cr White

**That Council adopts and gives public notice of the Council meeting dates and times for Council Meetings in 2016.**

**For:** Councillors White, Sindt, O'Callaghan, Middlemiss, Gibbons and Gibson

**Against:** Councillors Rossiter, Kam and Harriman

**CARRIED**

#### DECLARATION OF INTEREST

No officer declared a conflict of 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.*



## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

Latrobe City Council Plan 2013 - 2017

Theme and Objectives

*Theme 3: Efficient, effective and accountable governance*

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

### **BACKGROUND**

In April 2014, Council implemented a three-weekly ordinary council meeting cycle. Ordinary council meetings are held every third Monday night commencing at 6.00pm in the Nambur Wariga meeting room with special council meetings being held as required.

Public presentations, which are a way for members of the public to speak with Councillors in a confidential setting, are usually held a week prior to the council meeting on a Monday night, commencing from 5.00pm.

The governance of the council is supported by two confidential councillor briefing meetings, which provide opportunities for councillors to be fully informed on matters that will be presented to Council for decision and that have strategic importance for the operation of the council.

For council meetings in 2016, it is proposed that the council maintains the meeting cycles that are in place, with the first ordinary council meeting to be held on Monday, 8 February 2016.

### **KEY POINTS/ISSUES**

As part of good governance practices, a number of opportunities are afforded to Councillors to ensure that they are well informed prior to attending council meetings to make decisions.

In accordance with the *Local Government Act 1989*, the confidential councillor briefing meetings and the Public Presentations are considered Assembly of Councillors where the majority of Councillors are in attendance, and reported to Council accordingly. They are not a decision making forum, rather, they provide the opportunity for Councillors to be informed on key strategic issues/projects and other matters that may be presented at a Council Meeting.

It is a requirement under the *Local Government Act 1989* that public notice of the ordinary council meeting dates is given.

### **RISK IMPLICATIONS**

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

Processes and procedures are in place to minimise any risk exposures associated with the proposed schedule of council meetings. These include the calling of special council meetings to address urgent and unforeseen matters.

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)****FINANCIAL AND RESOURCES IMPLICATIONS**

The proposed schedule of council meetings can be accommodated within the current budget allocations.

**INTERNAL/EXTERNAL CONSULTATION**

It is a legal requirement that the Council meeting dates are publicised. These will be available, as a minimum, on the Council's website once adopted.

**OPTIONS**

1. Adopt the proposed meeting dates for 2016; or
2. Do not adopt the proposed meeting dates and recommend alternative dates for 2016.

**CONCLUSION**

In order to support good governance principles, council adopts its meeting dates. The meeting cycle is recommended to remain unchanged, with the first ordinary council meeting recommended to commence on Monday, 8 February 2016.

**SUPPORTING DOCUMENTS**

Nil

**Attachments**

1. Proposed Council Meeting Dates 2016

## **17.2**

### **Proposed Council Meeting Dates for 2016**

<b>1</b>	<b>Proposed Council Meeting Dates 2016.....</b>	<b>507</b>
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## Proposed Ordinary Council Meeting Dates 2016

Meetings are to be held in the Nambur Wariga Meeting Room, Council Headquarters, 141 Commercial Road, Morwell, commencing from 6.00pm.

### January

- Nil

### February

- Monday, 8 February 2016
- Monday, 29 February 2016

### March

- Monday, 21 March 2016

### April

- Monday, 11 April 2016

### May

- Monday, 2 May 2016
- Monday, 23 May 2016

### June

- Monday, 20 June 2016

### July

- Monday, 11 July 2016

### August

- Monday, 1 August 2016
- Monday, 22 August 2016

### September

- Monday, 12 September 2016

### October

- Monday, 3 October 2016

### November

- Monday, 14 November 2016

### December

- Monday, 5 December 2016

*It is anticipated that a special Council meeting for the swearing in of Councillors and the election of the Mayor, will be held on Wednesday, 26 October 2016.*



## Proposed Public Presentation Dates 2016

Meetings are to be held in the Nambur Wariga Meeting Room, Council Headquarters, 141 Commercial Road, Morwell, commencing from 5.00pm and are by prior booking only. Only those presenting may attend and the dates outlined below are subject to availability. The meeting will consist of all available Councillors, presenters and relevant Council Officers.

Anyone wishing to participate is advised that Public Presentations are not a decision making forum of Council.

In order to allow as many speakers as we can on any given evening, presentations are limited to a (up to) maximum of 10 minutes, with up to a five minute question and answer session. Times may be constrained further depending on how many requests we have for the one evening.

Presentations should relate to an item or subject to be of importance to the municipality and within Council's control and are subject to approval procedures.

Sessions planned (and subject to availability) for 2016 are as follows:

### February

- Monday, 1 February 2016
- Monday, 22 February 2016

### April

- Monday, 4 April 2016

### May

- Monday, 16 May 2016

### June

- Monday, 20 June 2016

### July

- Monday, 4 July 2016
- Monday, 25 July 2016

### August

- Monday, 15 August 2016

### September

- Monday, 5 September 2016
- Monday, 26 September 2016

### October

- Monday, 17 October 2016

### November

- Monday, 7 November 2016
- Monday, 28 November 2016

**17.3 POTENTIAL SALE OF FORMER MOE EARLY LEARNING  
CENTRE 38 FOWLER STREET MOE**

**General Manager**

**Corporate Services**

**For Decision**

**PURPOSE**

This report seeks Council's authorisation to give public notice and invite written submissions concerning the potential sale of the former Moe Early Learning Centre (MELC) at 38 Fowler Street Moe.

**EXECUTIVE SUMMARY**

At its meeting of 15 December 2014 (items closed to the public), Council resolved in part to proceed with the sale of the former MELC site at 38 Fowler Street Moe.

Council is required to comply with the *Local Government Act 1989*, the Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land and Council's Sale of Land Policy, to proceed with the sale of this land.

Given that Council originally gave public notice of its intention to sell the former MELC in December 2011 it is considered necessary, due to the passage of time, that Council again give public notice of its intention to consider the sale of this property in accordance with section 189 of the *Local Government Act 1989* and invite comment on the proposal.

**MOTION**

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

**That Council pursuant to sections 189 and 223 of the *Local Government Act 1989* resolves to:**

- 1. Give public notice of its intention to consider the sale of the former Moe Early Learning Centre at 38 Fowler Street Moe, being Lot 1 on Title Plan 549920F, contained in Certificate of Title Volume 8654 Folio 639, and invite written submissions;**
- 2. Consider any submission received regarding the proposed sale of the former Moe Early Learning Centre at 38 Fowler Street Moe, being Lot 1 on Title Plan 549920F, contained in Certificate of Title Volume 8654 Folio 639, at the Ordinary Council Meeting to be held Monday 21 March 2016.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

No officer declared a conflict of 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*

*Legislation*

Section 189 of the *Local Government Act 1989* gives Council the power to sell land however, prior to doing so, it must:

- (a) ensure that public notice of the intention to do so is given at least 4 weeks prior to selling or exchanging the land; and
- (b) Obtain from a person who holds qualifications or experience specified under section 13DA(2) of the *Valuation of Land Act 1960* a valuation of the land which is made not more than 6 months prior to the sale or exchange.

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

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

*Policy – Sale of Council Owned Property Policy 11 POL-4*

The principal aim of this policy is to define the circumstances and factors that will be assessed by Council in respect to the sale of Council owned property. The purpose of this policy is to serve as an accountability mechanism to the community.

## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

It is Council's preference that the sale of Council owned property would be via public auction unless circumstances exist that justify an alternative method of sale.

All sales of Council owned property must be consistent with the Local Government Best Practice Guidelines for the Sale and Exchange of Land prepared by the Department of Planning and Community Development.

### **BACKGROUND**

The future of the former Moe Early Learning Centre (MELC) has been under discussion since December 2011 and has been the subject of a number of Council reports and resolutions over that period.

At the meeting of 5 December 2011, Council resolved:

- 1. *That Council, in accordance Section 189 of the Local Government Act 1989 and Sale of Council Owned Property Policy, gives public notice of its intention to consider the sale of the former Moe Early Learning Centre at 38 Fowler Street, Moe.*
  2. *That Council, in accordance with the Sale of Council Owned Property Policy, invites public comment on whether the former Moe Early Learning Centre at 38 Fowler Street, Moe, is surplus to community requirements.*
  3. *That pursuant to section 223 of the Local Government Act 1989 Council considers any submissions received in relation to the potential sale of the former Moe Early Learning Centre at 38 Fowler Street, Moe, at the Ordinary Council Meeting to be held on Monday 6 February 2012.*

At the meeting of 6 February 2012, Council resolved:

1. *That Council note the submissions in relation to the proposed sale of the former MELC at 38 Fowler Street, Moe.*
2. *That a further report be presented to Council on 5 March 2012.*

At the meeting of 4 June 2012, Council resolved:

1. *That Council, having considered the written submissions received regarding the sale of the former Moe Early Learning Centre at 38 Fowler Street, Moe, and in accordance with the Sale of Council Owned Property Policy, forms the opinion that the former Moe Early Learning Centre is surplus to both community and Council requirements.*
2. *That, pursuant to Section 189 of the Local Government Act 1989, Council resolves to sell the former Moe Early Learning Centre at 38 Fowler Street, Moe, being the land contained in Certificate of Title Volume 8654 Folio 639 and described as Lot 1 on Title Plan 549920F, to Latrobe Health Services by private treaty.*
3. *That Council obtain a current valuation in accordance with Section 189 of the Local Government Act 1989.*



## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

4. *That Council authorises the Chief Executive Officer to enter into a Contract of Sale and, when prepared, sign and seal a Transfer of Land document allowing the transfer of the former Moe Early Learning Centre at 38 Fowler Street, Moe.*
5. *That all submitters be advised of Council's decision in relation to the sale of the former Moe Early Learning Centre at 38 Fowler Street, Moe.*

At the meeting of 3 December 2012 (items closed to the public), Council resolved to retain ownership of the property for use as a community organisation centre providing office accommodation, meeting and storage space in recognition of community need.

At the 6 May 2013 Council Meeting (item closed to the public) Council resolved that a community engagement process be undertaken to inform a potential expression of interest for funding from the state government's *Putting Locals First Program* to redevelop the former MELC as a centre for community organisations.

Following this Council resolution, community consultation was undertaken with the results of this consultation used to develop an expression of interest for funding. An application for \$400,000 was submitted on 4 June 2014 to the state government's *Putting Locals First Program*. In October 2014 Council received advice that its funding application had been unsuccessful.

More recently, at the meeting of 15 December 2014 (items closed to the public), Council resolved in part to proceed with the sale of the former MELC site at 38 Fowler Street Moe.

### **KEY POINTS/ISSUES**

In February 2015 representatives of the Gunia Ldj Child Care Centre contacted Council officers regarding the temporary occupation of the former MELC whilst the Gunia Ldj Child Care Centre located in Morwell underwent renovations for an initial term of eight weeks.

The sale of the property was temporarily placed on hold due to Gunia Ldj Child Care Centre occupying the former MELC. As the Gunia Ldj Child Care Centre's renovations took longer than anticipated the Child Care Centre did not vacate the former MELC until August 2015.

Given that Council gave public notice of its intention to sell the former MELC in December 2011 it is considered necessary, due to the due to passage of time, to again give public notice of its intention to consider the sale of this land in accordance with section 189 of the *Local Government Act 1989* and invite comment on the proposal.

No other Council functions have been identified to use this building.

### **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 07 DECEMBER 2015 (CM475)

There is an inherent risk in owning a vacant building, the building appearance may deteriorate and it can become the target of repeated vandalism attacks.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

Costs associated with the statutory process are minimal, being the cost of the notices in the Latrobe Valley Express inviting public comment on the proposed sale of land.

Should Council resolve to give public notice of its intention to sell the property after considering any submissions it will be necessary to obtain a market valuation from an independent valuer. This figure will be used to determine the sale price of the property. Council would also incur legal costs associated with the transfer of the property.

In the event that Council retains ownership, ongoing operational and overhead costs will continue to be incurred. These costs include electricity, water and sewerage connection costs, daily security patrols, building and ground maintenance.

To return the building to a level that would allow its use as office space would total approximately \$159,000, as detailed in the report considered by Council at its meeting held on 4 June 2012. These costs will have increased since this initial costing was provided.

### **INTERNAL/EXTERNAL CONSULTATION**

#### *Engagement Method Used:*

Public comment on the proposed sale of land will be sought via the following methods:

- Public notices in the Latrobe Valley Express
- Notice displayed at Council's Corporate Headquarters and Moe Service Centre
- Details placed on the Latrobe City Council website.

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

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

### **OPTIONS**

Council may resolve to:

1. Give public notice of its intention to consider the sale of the former MELC and seek public comment on the proposal.
2. Not give public notice of its intention to consider the sale of the MELC and retain the property.

**CONCLUSION**

Section 189 of the *Local Government Act 1989* requires Council to give public notice of its intention to sell a property, invite submissions and consider any received at a future Council Meeting to determine whether the property is surplus to Council's and the community's requirements.

Council initially resolved to give public notice of its intention to sell the former MELC in December 2011. As four years have passed, it is necessary for Council to again give public notice of its intention to sell the property and invite public comment on the proposal.

Attached for information is a copy of the Certificate of Title and Title Plan for the property.

**SUPPORTING DOCUMENTS**

Item 11.6.3 report considered by Council at its meeting held on 5 December 2011.

Item 7.4 report considered by Council at its meeting held on 6 February 2012.

Item 7.1 report considered by Council at its meeting held on 4 June 2012.

Item 15.11 (items closed to the public) report considered by Council at its meeting held on 3 December 2012.

Item 15.2 (items closed to the public) report considered by Council at its meeting held on 6 May 2013.

Item 17.10 (items closed to the public) report considered by Council at its meeting held on 15 December 2013.

**Attachments**

1. Land Titles Office Search of Certificate of Title Volume 8654 Folio 639
2. Title Plan 549920F

## **17.3**

### **Potential sale of former Moe Early Learning Centre 38 Fowler Street Moe**

- |          |  |            |
|----------|--|------------|
| <b>1</b> | <b>Land Titles Office Search of Certificate of Title Volume<br/>8654 Folio 639 .....</b> | <b>516</b> |
| <b>2</b> | <b>Title Plan 549920F.....</b>   | <b>518</b> |

**VIC LTO ALTS Title Search**

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of the information.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 08654 FOLIO 639

Security no : 124042096373C  
Produced 08/06/2012 04:18 pm

LAND DESCRIPTION

Lot 1 on Title Plan 549920F (formerly known as part of Crown Allotment 21  
Section 11 Township of Moe Parish of Moe).  
PARENT TITLE Volume 08054 Folio 911  
Created by instrument C214723 13/05/1965

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor

LATROBE CITY COUNCIL of KAY STREET TRARALGON VIC 3844  
AC045738C 06/05/2003

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section  
24 Subdivision Act 1988 and any other encumbrances shown or entered on the  
plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP549920F FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 38 FOWLER STREET MOE VIC 3825

DOCUMENT END

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LATROBE CITY COUNCIL

Account

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<b>TITLE PLAN</b>		<b>EDITION 1</b>	<b>TP 549920F</b>						
<b>Location of Land</b> Parish: MOE Township: MOE Section: 11 Crown Allotment: 21 (PT) Crown Portion:  Last Plan Reference: Derived From: VOL 8654 FOL 639 Depth Limitation: 50 FEET		<b>Notations</b>  ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN							
<b>Description of Land / Easement Information</b>  <b>E-1 = EASEMENT CREATED BY C/E C578330</b>		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 03/07/2000 VERIFIED: MP							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2" style="font-size: small;">WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962.</td> </tr> <tr> <td colspan="2" style="font-size: small;">PARCEL 1 = CA 21 (PT)</td> </tr> </table>				TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962.		PARCEL 1 = CA 21 (PT)	
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PARCEL 1 = CA 21 (PT)									
LENGTHS ARE IN LINKS	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets							

**17.4 COMPLETION OF THE ANNUAL REVIEW OF THE COUNCIL  
PLAN**

**General Manager**

**Corporate Services**

**For Decision**

**PURPOSE**

The purpose of this report is to seek Council's endorsement for the completion of the annual review of the Council Plan 2013-2017 and to advise the Minister for Local Government accordingly.

**EXECUTIVE SUMMARY**

Council is required under Section 125 of the *Local Government Act 1989* to prepare a four year Council Plan, which must be reviewed annually. The purpose of the annual review is to ensure the Council Plan continues to reflect the aspirations and needs of the community.

The Council Plan 2013 – 2017 was adopted by Council on the 24 June 2013, setting out the strategic objectives of Council, strategies for achieving these objectives for the four year term of Council.

Council completed a review of the Council Plan 2013-2017 at a workshop held 24 November 2015. It was generally agreed by those Councillors who attended that workshop that they remained committed to the themes, objectives and strategies which the Council established at the commencement of the Council's term. It was also considered that the Council Plan remained relevant to the priorities and needs of the community and provided a platform from which targeted actions and initiatives could be enabled.

At the conclusion of the workshop, those Councillors in attendance determined that no changes were required to the Council Plan 2013-2017.

**RECOMMENDATION**

That Council:

1. Note the completion of the annual review of the Council Plan 2013-2017.
2. Advise the Minister for Local Government of the completion of the annual review of the Latrobe City Council Plan 2013-2017.

**MOTION**

**Moved:** Cr Middlemiss  
**Seconded:** Cr Sindt

**That Council:**

1. **Notes the completion of the annual review of the Council Plan 2013-2017 and endorses it in its current format, and**
2. **Advise the Minister for Local Government of the completion of the annual review of the Latrobe City Council Plan 2013-2017.**

**CARRIED UNANIMOUSLY**

**DECLARATION OF INTEREST**

No officer declared a conflict of 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*

*Latrobe City Council Plan 2013 - 2017*

*Theme and Objectives*

*Theme 3: Efficient, effective and accountable governance*

*Strategic Direction –*

*Continuously review our policies and processes to increase efficiency and quality of our facilities and the services we provide.*

*Legislation – Local Government Act 1989*

In accordance with Section 125 of the *Local Government Act 1989*, at least once a year council must consider whether the council plan requires any adjustment in respect to the remaining period of the plan.

If Council amends its plan, Council is obliged in accordance with Section 125(3) of the *Local Government Act 1989* to give public notice and invite submissions in respect of any changes to the Council Plan 2013-2017.

In accordance with Section 125 (8) of the *Local Government Act 1989*, if Council makes an adjustment to the Council Plan, the Council must within 30 days of making the adjustment advise the Minister of the details of the adjustment to the Council Plan.



## ORDINARY COUNCIL MEETING MINUTES 07 DECEMBER 2015 (CM475)

In accordance with Section 126 of the *Local Government Act 1989*, the Council Plan must be supported by a Strategic Resource Plan which includes the next four financial years of standard statements describing the required financial and non-financial resources to deliver both the activities and initiatives of Council.

Pursuant to Section 126, (3), (b) of the *Local Government Act 1989*, Council must adopt the Strategic Resource Plan no later than 30 June each year.

### **BACKGROUND**

Council is required under Section 125 of the *Local Government Act 1989* to prepare a four year Council Plan, which must be reviewed annually. The purpose of the annual review is to ensure the Council Plan continues to reflect the aspirations and needs of the community.

The Council Plan 2013 – 2017 was adopted by Council on the 24 June 2013, setting out the strategic objectives of Council, strategies for achieving these objectives for the four year term of Council.

Council completed a review of the Council Plan 2013-2017 at a workshop held 24 November 2015. It was generally agreed by those Councillors who attended the workshop that Council remained committed to the themes, objectives and strategies which the Council established at the commencement of the Council's term. It was also considered that the Council Plan remained relevant to the priorities and needs of the community and provided a platform from which targeted actions and initiatives could be undertaken.

At the conclusion of the workshop, those Councillors in attendance determined that no changes were required to the Council Plan 2013-2017

### **KEY POINTS/ISSUES**

The Council Plan must be accompanied by a four year Strategic Resource Plan detailing the specific projects and Major Initiatives to be delivered during the 2016/2017 financial year. During Council's preparation of a draft Annual Budget, the Strategic Resource Plan will be amended to reflect the directions and commitments identified by the draft Annual Budget.

The revised Strategic Resource Plan will be publicly exhibited alongside the Annual Budget and subsequently submitted to the Minister for Local Government.

### **RISK IMPLICATIONS**

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

The Council Plan and Strategic Resource Plan must be submitted to the Minister by 30 June 2016. Where a Council fails to submit a Council Plan to the Minister within the time allowed, details of the failure are published in the annual report of the Department. Failing to comply with the provisions of the Act is considered a significant risk.

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)****FINANCIAL AND RESOURCES IMPLICATIONS**

The Council Plan will be supported by a revised Strategic Resources Plan, Annual Budget and Action Plan detailing the specific projects and Major Initiatives to be delivered during the 2015/2016 financial year.

The Strategic Resource Plan must be submitted to the Minister by 30 June 2013.

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

An internal consultation process was undertaken with Councillors providing participating in a Councillor workshop held 29 January 2015. The opportunity for Councillors to discuss or email queries or comments regarding the annual review was also provided.

*Details of Community Consultation / Results of Engagement:*

At the conclusion of the workshop, those Councillors in attendance determined that no changes were required to the Council Plan 2013-2017.

**OPTIONS**

Council have the followings options;

1. Council may choose to endorse the Council Plan in its current format and notify the Minister accordingly.
2. Alternatively Council may adopt the Council Plan 2013 – 2017 with changes.

It is noted that if a change is made to the Council Plan, this change must first be publicly exhibited prior to submitting to the Minister for Local Government.

**CONCLUSION**

The Council Plan 2013-2017 provides Latrobe City Council with a four year strategic direction in accordance with Section 125 of the *Local Government Act 1989*.

Following the completion of the annual review of the Council Plan, there are no changes proposed to the Council Plan 2013-2017.

**SUPPORTING DOCUMENTS**

Latrobe City Council Plan 2013-2017

**Attachments**  
Nil

# URGENT BUSINESS

**18. URGENT BUSINESS****URGENT BUSINESS****MOTION**

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

**That Council in accordance with section 26 of the Meeting Procedure Local Law, accept an item of urgent business in relation to Federation University.**

**CARRIED UNANIMOUSLY**

**18.1 URGENT BUSINESS MATTER****MOTION**

**Moved:** Cr Harriman  
**Seconded:** Cr Gibson

**That Council publicly states its opposition in relation to the removal of the position at Federation University of the Director of the Centre for Gippsland Studies and writes and requests Dr David Battersby, Vice Chancellor of Federation University have the position restored.**

**CARRIED UNANIMOUSLY**

# MEETING CLOSED TO THE PUBLIC

## 19. 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.

### MOTION

**Moved:** Cr Harriman  
**Seconded:** Cr Gibson

**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:**

#### 19.1 CONFIDENTIAL ITEMS HELD OVER

**Agenda item 19.1 *Confidential Items Held Over* 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)**

#### 19.2 ADOPTION OF MINUTES

**Agenda item 19.2 *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)**

#### 19.3 CONFIDENTIAL ITEMS

**Agenda item 19.3 *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)**

#### 19.4 ASSEMBLIES OF COUNCILLORS

**Agenda item 19.4 *Assemblies 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)**

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)**

- 19.5 MOE TENNIS COURT RECONSTRUCTION - STATUS REPORT**  
Agenda item 19.5 *Moe Tennis Court Reconstruction - Status report* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.6 STAR HOTEL TRARALGON KITCHEN RELOCATION**  
Agenda item 19.6 *Star Hotel Traralgon Kitchen Relocation* is designated as confidential as it relates to contractual matters (s89 2d) and legal advice (s89 2f)
- 19.7 UPDATE - RENEWAL OF THE MOE RACING CLUB LONG TERM LEASE.**  
Agenda item 19.7 *Update - Renewal of the Moe Racing Club Long Term Lease.* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.8 UPDATE - TRARALGON GREYHOUND RACING CLUB LONG TERM LEASE.**  
Agenda item 19.8 *Update - Traralgon Greyhound Racing Club Long Term Lease.* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.9 PROPOSED SALE AND RELOCATION OF THE MOE WORKS DEPOT**  
Agenda item 19.9 *Proposed Sale and Relocation of the Moe Works Depot* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.10 REQUEST FOR CONSIDERATION OF EXPENSE REIMBURSEMENT**  
Agenda item 19.10 *Request for Consideration of Expense Reimbursement* 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)
- 19.11 CEO DELEGATION TO APPROVE PURCHASE ORDERS OVER \$500,000.00 FOR LCC-271 RESEALING OF MUNICIPAL ROADS WITHIN LATROBE CITY**  
Agenda item 19.11 *CEO Delegation to Approve Purchase Orders Over \$500,000.00 for LCC-271 Resealing of Municipal Roads within Latrobe City* is designated as confidential as it relates to contractual matters (s89 2d)
- 19.12 SUPPLY AND DELIVERY OF LANDFILL COMPACTOR**  
Agenda item 19.12 *Supply and Delivery of Landfill Compactor* is designated as confidential as it relates to contractual matters (s89 2d)

**ORDINARY COUNCIL MEETING MINUTES  
07 DECEMBER 2015 (CM475)**

- 19.13 LCC-295 CONSTRUCTION OF AN OPEN DRAIN AND WETLAND AT FOURTH ROAD, HAZELWOOD NORTH**  
*Agenda item 19.13 LCC-295 Construction of an Open Drain and Wetland at Fourth Road, Hazelwood North is designated as confidential as it relates to contractual matters (s89 2d)*
- 19.14 LCC-300 FLOOD MITIGATION WORKS AT WATERHOLE CREEK, MORWELL**  
*Agenda item 19.14 LCC-300 Flood Mitigation Works at Waterhole Creek, Morwell is designated as confidential as it relates to contractual matters (s89 2d)*

**CARRIED UNANIMOUSLY**

The Meeting closed to the public at 9:28pm

The meeting re-opened to the public at 11.00pm

There being no further business the meeting was declared closed at 11.00pm

I certify that these minutes have been confirmed.

Mayor: \_\_\_\_\_

Date: \_\_\_\_\_