



# **LATROBE CITY COUNCIL**

**AGENDA FOR THE  
ORDINARY COUNCIL MEETING**

**TO BE HELD IN NAMBUR WARIGA MEETING ROOM  
CORPORATE HEADQUARTERS, MORWELL**

**AT 6.00 PM ON  
03 OCTOBER 2016**

**CM490**

## MISSION

TO PROVIDE  
THE BEST POSSIBLE  
FACILITIES, SERVICES,  
ADVOCACY AND LEADERSHIP  
FOR LATROBE CITY, ONE OF  
VICTORIA'S FOUR MAJOR  
REGIONAL CITIES.

## VALUES

- » Providing affordable people focused community services
- » Planning strategically and acting responsibly, in the best interests of the whole community
- » Accountability, transparency and honesty
- » Listening to and working with the community
- » Respect, fairness and equity
- » Open to and embracing new opportunities

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*Our Father who art in Heaven, hallowed be thy name. Thy kingdom come, thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil. For the kingdom, the power, and the glory are yours now and forever. Amen.*

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

*I would like to acknowledge the traditional owners upon whose land we are meeting on today, the Gunaikurnai people and pay my respects to their Elders past and present.*

*If there are other Aboriginal people/Elders present I would also acknowledge them.*

**3. APOLOGIES AND LEAVE OF ABSENCE****4. DECLARATION OF CONFLICT OF INTEREST****5. ADOPTION OF MINUTES****RECOMMENDATION**

**That the minutes of the Ordinary Council Meeting held on 12 September 2016 be confirmed.**

**6. ACKNOWLEDGEMENTS**

*Councillors may raise any formal acknowledgements that need to be made at this time, including congratulatory or condolences.*

**7. PUBLIC QUESTION TIME**

*Members of the public who have registered before 12.00 Noon on the day of the Council meeting are invited to speak to an item on the agenda or to ask a question of the Council.*

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

*In accordance with Latrobe City Council's Election Period Policy, the information provided in the following report is not related to election issues or to issues that might be perceived to be of an electoral nature.*

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<b>City Development</b>			
27 July 2015  City Development	Latrobe Performing Arts and Convention Centre Review	That Council:  1. Not make a funding application to the National Stronger Regions Fund Round 2 for the Latrobe Performing Arts Centre.  2. Implement all of the resolutions of Council in relation to the Latrobe Performing Arts Centre such as full business case and functional concept design to support future State and Federal funding applications.  3. Receives a report outlining State Government funding opportunities and recommendations on applying for funding through National Stronger Regions Fund Round 3.	<b>Complete</b> <b>15 July 2016</b> Following the return of the Coalition Government, Council is awaiting formal confirmation of Federal Government funding and conditions of grant.  A report was presented to Council on 08 February 2016.  <b>31 August 2016</b> \$30 million in funding commitments now confirmed - \$10 million from each level of government.

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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>City Development</p>	<p>2015/20 - Traralgon Court House Status Update</p>	<p>That a report be brought back to Council on the status of the plans for the Traralgon Court House.</p> <p>That the report includes:</p> <p>(a) the options on how Council proposes to fund the plans; and</p> <p>(b) the actions for 2015/16 and any actions proposed for 2016/17</p>	<p>Officers will prepare a report for Council meeting in May</p> <p><b>05 February 2016</b> Preparation of report is on schedule.</p> <p><b>28 Apr 2016</b> A report will be presented to the Briefing Meeting on 9 May 2016.</p> <p><b>11 May 2016</b> Accurate costings will now be obtained from a Quantity Surveyor regarding the construction of a new toilet block, deck and doorway to the existing building. When final costings are known, a report will be brought back to a Councillor Briefing.</p> <p><b>15 July 2016</b> A report will be prepared for the Councillor Briefing (1) on 8 August 2016.</p> <p><b>09 August 2016</b> The report has been rescheduled to the Councillor Briefing (2) on 15 August 2016.</p> <p><b>31 August 2016</b> A report is being presented to the Council Meeting on 12 September 2016 to advance this project.</p> <p><b>19 September 2016</b> Council passed a 10-point resolution at its Meeting on 12 September 2016 to advance works on the Traralgon Court House.</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>City Development</p>	<p>Economic Development Engagement Plan</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Receives quarterly reports during the 2015/16 financial year on the activities of the Economic Development Engagement Plan, and</li> <li>3. Receives a report in September 2016 detailing the annual results of the Economic Development Engagement Plan.</li> </ol>	<p><b>05 February 2016</b> The Economic Development Engagement Plan Quarterly report was presented to Council in February 2016. Report to be presented to the Ordinary Council Meeting on 29 February 2016.</p> <p><b>10 March 2016</b> The next quarterly report will be presented to Council in May 2016. The annual report will go to Council for consideration in September 2016.</p> <p><b>28 April 2016</b> The Economic Development Engagement Plan was presented to Council on 29 February 2016.</p> <p><b>20 September 2016</b> The annual report has been rescheduled to 05 December 2016.</p>



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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
07 December 2015  City Development	Federation University Australia Gippsland Campus Initiatives with Taizhou, China  <b>(continued below)</b>	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.	Email correspondence has recently taken place with the Taizhou Foreign Affairs Officer in relation to a proposed Educational Marketing Campaign in Taizhou and also a possible Taizhou Foreign Affairs Officer secondment for 8 weeks in February/March 2016. However, due to time constraints it is unlikely that the secondment will come to fruition.  Initial feedback on the marketing campaign was positive; we are waiting to hear more information in coming weeks. Positive feedback from the Taizhou Foreign Affairs office indicates that the Federation University marketing campaign in Taizhou is a real possibility. Further conversation will be held once Dr Harry Ballis returns from overseas in late January.  <b>05 February 2016</b> Contact will be made this month with Dr Ballis.  <b>09 March 2016</b> Correspondence has been sent to the Taizhou Government. Further information will be provided once a response is received.

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07 December 2015  City Development	Federation University Australia Gippsland Campus Initiatives with Taizhou, China  <b>(continued)</b>	As above	<p><b>10 March 2016</b> During April 2016, Federation University Australia, Gippsland Campus is embarking on another marketing campaign to Taizhou, China. The purpose of the visit will be to further progress the collaborative partnerships with Taizhou Polytechnic, Taizhou University and Taizhou High Schools with the aim of establishing programs and exchanges for mutual benefits.</p> <p>The delegation is planned for 18th to 22 April 2016, will focus on finalising collaborative partnership initiatives, showcase Federation University Australia Gippsland and Latrobe City as a destination of choice for Taizhou students and their families.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
07 December 2015  City Development	Federation University Australia Gippsland Campus Initiatives with Taizhou, China  <b>(continued)</b>	As above	<b>08 June 2016</b> The delegation occurred from 18 to 22 April 2016, which focused on finalising collaborative partnership initiatives, showcasing Federation University Australia Gippsland and Latrobe City as a destination of choice for Taizhou students and their families. It is anticipated that a delegation of high level education representatives will visit Latrobe City late in the 2016 calendar year and Federation University are planning for students in 2017.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>07 December 2015</p> <p>City Development</p>	<p>Planning Scheme Amendment C85 - Crinigan Road, Morwell</p> <p><b>(continued below)</b></p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Defer the consideration of Amendment C85 until advice has been received from the landowner on how they wish to proceed with the amendment.</li> <li>2. That a report outlining the next steps be presented to Council no later than 30 October 2016.</li> <li>3. Advises those persons who made written submissions to Amendment C85 of Council's decision</li> </ol>	<p>The land owner has been advised of Council's decision, and are now considering their options. No further action will be undertaken until further advice from the landowner has been received.</p> <p><b>05 February 2016</b> The landowner (Hancock Victorian Plantations) has been contacted recently and has advised they are yet to make a decision pending a future HVP Board meeting. Further advice from the landowner is expected by the end of March.</p> <p><b>30 March 2016</b> The landowner (Hancock Victorian Plantations) have advised that they require more time to consider their options. The HVP Board have requested further information be sought prior to a decision being made. Further advice from HVP is expected in the coming months.</p> <p><b>08 April 2016</b> Submitters to Amendment C85 were notified of Council's resolution on 11 December 2015.</p>

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07 December 2015  City Development	Planning Scheme Amendment C85 - Crinigan Road, Morwell  <b>(continued)</b>	As above	<p><b>08 and 29 June 2016</b> No further update to provide. Advice from HVP is still pending.</p> <p><b>04 August 2016</b> Advice from HVP is still pending. A letter to HVP Plantations requesting a formal response be provided by 12 August 2016 was sent on 2 August 2016. A report providing an update on the progress of Amendment C85 will be tabled at the 12 September 2016 Ordinary Council Meeting.</p> <p><b>31 August 2016</b> A solicitor firm acting on behalf of HVP formally advised Latrobe City Council on 12 August 2016 that their client wishes to proceed with Amendment C85. A report outlining the next steps will be presented to Council at the 3 October 2016 Ordinary Council Meeting.</p>
02 May 2016  City Development	Proposed Livestock Selling Facility	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Complete a pre-feasibility study into the establishment of a Livestock Sales Facility within the municipality.</li> <li>2. That a further report outlining the results of the pre-feasibility study be presented to Council.</li> </ol>	<p><b>Complete</b> <b>11 May 2016</b> Officers are currently in the process of drafting a brief in order to go to market for a pre-feasibility study.</p> <p><b>10 August 2016</b> A report will be presented to the 22 August 2016 Ordinary Council Meeting.</p> <p><b>05 September 2016</b> A report was presented to Council on 22 August 2016.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
23 May 2016  City Development	2016/10 - Impact Of Proposed Great Forest National Park	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Requests that the Chief Executive Officer prepares a report on the Assessment of the Economic and Social Impacts of the Proposed Great Forest National Park to the Latrobe City Municipality;</li> <li>2. Requests that the Mayor writes to the Premier and the Minister for Energy, Environment and Climate Change and to express our disappointment that there is no local government voice on the taskforce looking at the Great Forest National Park. That the Mayor request that either MAV or Timber Towns Victoria are given a position on this taskforce.</li> </ol>	<p><b>Complete</b> <b>08 June 2016</b> A report is being prepared that includes the economic value of the timber industry in Gippsland and Latrobe City LGA. The report will be included in a Council report providing the information and the option to undertake detailed economic and social research at additional cost and timeframe.  Letter will be drafted at conclusion of report preparation.</p> <p><b>30 June 2016</b> Report being drafted for a future Council Meeting.</p> <p><b>10 August 2016</b> A report is being presented to the 22 August 2016 Council Meeting.</p> <p><b>20 September 2016</b> A report was presented to the 22 August 2016 Council Meeting.</p>

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<p>23 May 2016</p> <p>City Development</p>	<p>Consideration of the Recommendations of the Panel Report for Amendment C87</p> <p><b>(continued below)</b></p>	<p>That Council defers Amendment C87 Part B (Urban Amenity Buffer), in accordance with Section 29 of the Planning &amp; Environment Act, 1987 until a report on further options relating to C87 Part B (Urban Amenity Buffer) be presented to Council and if necessary, seeks an extension of time from the Minister of Planning.</p>	<p><b>Complete</b></p> <p><b>20 July 2016</b> Council adopted C87 Part A and C on 23 May 2016. Council deferred C87 Part B until a report on further options can be presented to Council.</p> <p><b>21 July 2016</b> Letters to relevant Ministers regarding coal issues are pending current discussions with DEDJTR as these discussions may inform the drafting of these letters.</p> <p><b>11 August 2016</b> Council, EPA, AP workshop held on 8 August 2016 to discuss UAB options. Workshop outcomes are to inform a future Council Report.</p> <p><b>29 August 2016</b> Council Report being drafted. Councillor Briefing scheduled for 29 August 2016. Meetings scheduled to be held with Morwell North, Traralgon West, and Tyers South community groups during week of 29 August 2016.</p>

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23 May 2016  City Development	Consideration of the Recommendations of the Panel Report for Amendment C87  <b>(continued)</b>	As above	<p><b>09 September 2016</b> Councillor Briefing held on 29 August 2016. Officer meetings held with Morwell North and Traralgon West Community Groups on 30 August 2016 and with Traralgon South landowners on 31 August 2016. Council Report to be considered at 12 September 2016 Council Meeting.</p> <p><b>21 September 2016</b> C87 Part B adopted by Council on 12 September 2016 and planning scheme amendment documents are to be lodged with the Minister for approval over the next few weeks.</p>



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<p>20 June 2016</p> <p>City Development</p>	<p>2016/12 - Future Economic Development of Latrobe City</p> <p><b>(continued below)</b></p>	<p>That Council, as a result of the increasing community concern around media speculation on the future of the Latrobe Valley based brown coal electricity generation industry;</p> <ol style="list-style-type: none"> <li>1. Convenes a meeting within one month of all government, semi-government, union, community and business organisations who have been identified as preparing proposals for the future economic development of Latrobe City; and</li> <li>2. Invites each organisation to give a brief presentation of their proposals, in order to avoid duplication of efforts around economic development in Latrobe City; and</li> <li>3. Invites the Premier to open the meeting and outline the State position on this issue; and</li> <li>4. Invites observers from relevant organisations to the meeting; and</li> </ol>	<p><b>30 June 2016</b> Forum has been organised for 27 July 2016. State Government Ministers will attend. Community groups invited to present and participate in workshop.</p> <p><b>11 August 2016</b> The Community Conversation was held on 21st July at the Italian Social Club. Approximately 100 people attended this session. Ministers Wade Noonan and Jaala Pulford attended a briefing session with Councillors, business leaders and agencies on the 27 July 2016.</p> <p>As per Council resolution, a Positioning paper is being prepared and will be presented to a Briefing as soon as possible.</p> <p><b>20 September 2016</b> The Position Paper was presented at a Briefing on 05 September 2016. A further report will be presented to Council .</p>

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20 June 2016  City Development	2016/12 - Future Economic Development of Latrobe City <b>(continued)</b>	<p>5. Requests a Positioning Paper be produced incorporating the direction and issues identified, and that this paper to be used as the basis of further meetings to coordinate and accelerate economic development in Latrobe City; and</p> <p>6. Requests a report be presented to Council to consider adoption of the Positioning Paper as soon as practicable.</p>	As above
20 June 2016  City Development	2016/13 - Remembrance Day And ANZAC Day Road Closures	<p>That Council:</p> <p>1. Covers the cost associated with the Latrobe City RSL's road closures for Remembrance Day 2016;</p> <p>2. Continues to lobby the State and Federal Governments to cover the ongoing costs associated with ANZAC and Remembrance Day; and</p> <p>3. Seek a further report regarding options to support these events in future years.</p>	<p><b>29 June 2016</b> Following the Notice of Motion at the Council Meeting on 20 June 2016, Council will cover the cost of RSL road closures for Remembrance Day 2016. Accordingly, the Events Team is in the process of engaging a contractor to undertake the Morwell Remembrance Day Road Closure and has submitted notification to LV Bus Lines and PTV, and will be taking a copy of the 2016 Remembrance Day Public Transport Traffic Management Plan to the Morwell RSL for sign off today.</p> <p><b>31 August 2016</b> A report regarding ANZAC Day and Remembrance Day commitments from 2017 will be prepared for Council's consideration.</p>

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<p>20 June 2016</p> <p>City Development</p>	<p>Proposed - Community Amenity Local Law No.2 2016 <b>(continued below)</b></p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Gives notice of its intention to make the Community Amenity Local Law No.2 2016, replacing Community Amenity Local Law No. 2 2009, as outlined in the Local Law Community Impact Statement.</li> <li>2. Gives notice in the Victorian Government Gazette and by public notice in the local newspapers of its intention to make Local Law No. 2 2016, stating the purpose and general support of the draft Community Amenity Local Law No. 2 2016 and advising that any person affected by the proposed Local Law may make a submission relating to the proposed Local Law under Section 223 of the <i>Local Government Act 1989</i>;</li> </ol>	<p><b>Complete</b> <b>19 July 2016</b> A report to consider submissions from the community during the consultation process at the Ordinary Council Meeting 22 August 2016. To date, one submission has been received seeking clarification and one submission has been received suggesting a minor change to one clause.</p> <p><b>23 August 2016</b> Adopted at Ordinary Council Meeting 22 August 2016</p>

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<p>20 June 2016</p> <p>City Development</p>	<p>Proposed - Community Amenity Local Law No.2 2016 <b>(continued)</b></p>	<p>3. In accordance with Section 223 of the <i>Local Government Act 1989</i>, considers and hears submissions received regarding the proposed Community Amenity Local Law No. 2 2016, at an Ordinary Meeting of Council to be held on 22 August 2016, at 6.00 pm, in the Nambur Wariga Meeting Room, Council Headquarters, 141 Commercial Road, Morwell; and</p> <p>4. That a copy of the proposed draft Community Amenity Local Law No. 2 2016 be made available at Latrobe City's Customer Service Centres and Libraries, during their respective hours of operation, and on Council's website from 23 June 2016.</p>	<p>As above</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
11 July 2016  City Development	Installation Of CCTV Head Street Traralgon - Dumped Rubbish	That Council: 1. Make a resolution approving the installation of CCTV at 135 Argyle Street Traralgon to allow Latrobe City Local Laws Officers to conduct an investigation in accordance with the <i>Environment Protection Act 1970</i> . 2. A sign be installed in the area informing the community of the installation of the CCTV units. 3. A further report be presented to Council at the conclusion of the trial period to report on the effectiveness of this action and any subsequent prosecution in progress.	<b>19 July 2016</b> Arrangements are currently being discussed with staff from the depot to install the CCTV hardware. Signage has been ordered to clearly advise the community about the cameras.  <b>10 August 2016</b> CCTV cameras to be installed and signage erected by Friday 19 August.
01 August 2016  City Development	Considering Planning Panel Report for Planning Scheme Amendment C93 - Ashworth Drive	That Council: 1. Defers consideration of the Planning Panel report for Planning Scheme Amendment C93 – Ashworth Drive until the next Council meeting to be held on 22 August 2016; and 2. Organises a meeting with the residents of Ashworth Drive, Councillors and Council Officers in the next week.	<b>Complete</b> <b>03 August 2016</b> Report to be presented to Council on 22 August 2016  <b>11 August 2016</b> Meeting was held with Ashworth Drive residents, councillors and council officers on 9 August 2016. The deferred report will be tabled at the 22 August 2016 Ordinary Meeting of Council.  <b>31 August 2016</b> A report was presented to Council on 22 August 2016.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
22 August 2016  City Development	Urgent Matter: Regional Victorian Cities Delegation to China 19-23 September 2016	That Council:  1. Participates in the delegation to China of Regional Victorian Cities from 19-23 September 2016;  2. Requests that the Chief Executive Officer, or nominated senior officer, participates on behalf of the Council;  3. Notifies the Minister for Regional Development of this decision; and  4. Requests that a report is presented to Council on the delegation and outcomes achieved.	<b>26 August 2016</b> CEO has accepted to attend State Government Delegation. Arrangements are currently underway to ensure all is in order for trip.  Regional Development Victoria have been advised of this decision.  A report will be presented to Council at the conclusion of the delegation.

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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  (continued below)	<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><b>2015</b> 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 April 2016.</p> <p><b>30 March 2016</b> Further evaluation will be undertaken of 10 sites identified during on-site meeting. A briefing report will be presented in May 2016.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
06 November 2013  Infrastructure & Recreation	Latrobe Regional Motorsport Complex  <b>(continued)</b>	As above	<p><b>08 April 2016</b> Officers have recently met with Cr. Middlemiss in relation to investigating a number of possible options for the development of a motorsports complex. These ten sites are currently being assessed for their suitability. When this assessment is complete a further report will be presented to Council detailing and findings. <b>26 May 2016</b> A briefing report will be presented to Councillors at the 30 May 2016 Councillor Briefing.</p> <p><b>30 May 2016</b> A report was presented to the Councillor Briefing on 30 May 2016, and a further report will follow in September.</p> <p><b>10 June 2016</b> A briefing report was presented to Council on 3 May 2016. A tour of possible sites is to be organised for the Latrobe Motorsport Advisory Committee and a letter to be sent to CAMS regarding the possibility of hosting significant motorsport events is to be sent. A report to be provided to Council at a later date when these actions have been completed.</p>



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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
06 November 2013  Infrastructure & Recreation	Latrobe Regional Motorsport Complex  <b>(continued)</b>	As above	<b>20 September 2016</b> A tour of possible sites for the development of a Motorsport Complex will be organised for early in 2017. A letter seeking CAMS interest in hosting a significant motorsport event in Latrobe City is currently being prepared.

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

<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>	That Council:  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;  2. Instructs Council Officers to undertake further investigation in relation to energy efficiency improvements, heat load reduction and air conditioning systems for the facilities;  3. Identifies and allocates the funding for the investigations detailed in point 2 from savings from the 2014/15 budget;  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;	<b>Complete 2015</b> Quotes are currently being requested for investigation in relation to energy efficiency improvements, heat load reduction and air conditioning systems for the facilities.  Quotes are currently being requested for the provision of temporary air handling units for the BVC Event in 2016.  A report is planned to be presented to the April Council Meeting. <b>30 March 2016</b> A report is planned to be presented to the June Council Meeting. <b>08 June 2016</b> The report to Council has been rescheduled to 01 August 2016. <b>18 July 2016</b> A report is to be presented to the 8 August 2016 Councillor Briefing. <b>10 August 2016</b> A report was presented to the Councillor Briefing on 08 August 2016. Officers are working on a further report.

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

<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.	<b>20 September 2016</b> A report was presented to the 12 September 2016 Ordinary Council meeting. Council resolved to apply for funding in the 2016/17 Better Stadiums Fund. Applications close 20 September 2016.

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
27 July 2015  Infrastructure & Recreation	2015/15 - Request for Investigation into Traralgon Netball Court Resurfacing  <b>(continued below)</b>	That Council engage an Independent investigator to investigate the Traralgon Netball Court resurfacing tender process including;  1. The materials used 2. The written Tender brief 3. The overseeing process utilised and reporting details 4. The report with all of these details be brought back to Open Council as soon as practical.	<b>Complete 2015</b> Officers have 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 March. The investigation report will be provided to the Council Meeting in May 2016.  We are currently negotiating with the Contractor who undertook the works for them to accept responsibility for the resurfacing. Once we have clarified the contractors position the review will commence.  <b>08 April 2016</b> The company have acknowledged that the repairs are their responsibility and the work is underway.  An independent review will be arranged by end of financial year.

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
27 July 2015  Infrastructure & Recreation	2015/15 - Request for Investigation into Traralgon Netball Court Resurfacing  <b>(continued)</b>	As above	<p><b>04 May 2016</b> The remedial works were completed however minor defects have arisen that are being attended to.</p> <p><b>21 May 2016</b> The tender brief is prepared and will be sent 24 May 2016.</p> <p><b>08 June 2016</b> Tenders closing mid-June, with a report to Officers by 14 July, and a report prepared for the next available meeting in August</p> <p><b>20 July 2016</b> Tender process recommenced due to the prices received. A new tenderer has provided a quote to undertake the works and this will be awarded by the end of July.</p> <p><b>10 August 2016</b> The tenders received were very expensive and a third tender sought (approx \$2500) and their report is due the week of 15 August. A report will be presented to Council as soon as possible thereafter.</p> <p><b>13 September 2016</b> Report presented to the 12 September meeting. No further action.</p>

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
02 May 2016  Infrastructure & Recreation	Agnes Brereton Park Traralgon - Preparation of Work Plan for Repairs  <b>(continued below)</b>	That Council:  1. Takes immediate action to inspect, stabilise and prepare a work plan to ensure the surface of the netball courts at Agnes Brereton Park Traralgon are safe and appropriately repaired; and  2. Advises the Traralgon Netball Club of the timeframe for this work; and  3. Requests a report to be provided to the next Ordinary Council meeting regarding the outcomes.	<b>Complete 10 May 2016</b> An on-site meeting was held on 6 May 2016 with the following actions outlined, that will be carried out by Council over the coming weeks, addressing the concerns raised at the meeting by the Traralgon Netball Association.  1. Weekly Inspections An inspection will be undertaken of the courts on a weekly basis to determine if any additional repair works are required. Should any additional works be required these will be organised by Council as soon as practically possible.  2. Independent Consultant We will appoint an independent consultant to undertake an assessment of the Courts. The consultant will provide advice to Council in relation to any additional works that may be required, over both the short and long term, to ensure the courts are in the best condition possible for use by the community.

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03 OCTOBER 2016 (CM490)**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
02 May 2016 Infrastructure & Recreation	Agnes Brereton Park Traralgon - Preparation of Work Plan for Repairs  <b>(continued)</b>	As above	<p>3. Car Park Repairs</p> <p>I will arrange for my staff to assess the condition of the car park. While on site today I identified a number of areas that will require immediate attention and some that may be undertaken at a later date. I will provide you with further detail in relation to when these works will be undertaken after the car park has been assessed by my staff.</p> <p>4. Additional Concreting Works</p> <p>Additional concreting works will be undertaken to provide pathway connections from the concrete roadway to the back courts.</p>
02 May 2016 Infrastructure & Recreation	Agnes Brereton Park Traralgon - Preparation of Work Plan for Repairs  <b>(continued)</b>	As above	<p>Our contractor has advised that there may be a sand like material on the surface during the first few weeks while the surface dries completely. It would be appropriate for the association to monitor the condition of the courts during play to ensure that the surface continues to be safe for play. Should the surface be determined to be unsafe play may need to be suspended for a short period in order for the courts to be swept clean.</p> <p><b>13 September 2016</b> All resolution items met. No further action.</p>

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
20 June 2016	Draft Drainage Asset Management Plan 2016	That Council: 1. Endorses the draft Drainage Asset Management Plan 2016 for public consultation for 7 weeks from 10 October 2016 to 28 November 2016. 2. Requests that a further report be brought to Council following the public consultation with a draft Drainage Asset Management Plan 2016 that considers the feedback from the community consultation.	<b>05 July 2016</b> Following adoption Officers are reviewing the improvement plan and will discuss Consultation with Communication Department to prepare a plan to consult immediately following the caretaker period. <b>21 September 2016</b> Consultation will commence once the Caretaker period has finished.
11 July 2016 Infrastructure and Recreation	Petition - Old Sale Road Newborough	That Council: 1. Agrees to lay the petition, regarding Old Sale Road Newborough, on the table until the next practical opportunity for Council Officers to present a report at an Ordinary Council Meeting. 2. Advises the head petitioner of Council's decision in relation to the petition.	<b>10 August 2016</b> A report will be presented to the 12 September 2016 Ordinary Council Meeting <b>09 August 2016</b> Report for 12 September Council meeting has been written. Action finalised



**ORDINARY COUNCIL MEETING AGENDA  
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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
11 July 2016  Infrastructure and Recreation	Latrobe Leisure Moe Newborough Hydrotherapy Program	That Council:  1. Continue the hydrotherapy program at LLMN on Sundays until a report is presented to Council in early 2017, which will provide time to assess the impact of the opening of the newly redeveloped Warragul Leisure Centre.  2. Advise key stakeholders (Pre-schools, schools, LCC childcare centres, aged care facilities, and medical centres) of Councils decision to continue the hydrotherapy program at LLMN until a report is presented to Council in early 2017.	<b>20 July 2016</b> A report will be presented to Council in 2017.
01 August 2016  Infrastructure and Recreation	Petition requesting the installation of traffic calming devices along Manning Drive, Churchill	That Council:  1. Agrees to lay the petition requesting traffic calming devices be installed along Manning Drive, Churchill, on the table until the Ordinary Council Meeting to be held on 12 September 2016.  2. Advises the head petitioner of Council's decision in relation to the petition requesting traffic calming devices be installed along Manning Drive, Churchill	<b>Complete</b> <b>03 August 2016</b> A report will be presented to Council on 12 September 2016  <b>09 August 2016</b> Report for 12 September meeting has been written.  <b>20 September 2016</b> A report was presented to the 12 September 2016 Council Meeting.

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>22 August 2016</p> <p>Infrastructure &amp; Recreation</p>	<p>Bickerton Road and Riggall Road Glengarry North - Special Charge Scheme</p>	<p>1. That in accordance with section 163 of the <i>Local Government Act 1989</i>:</p> <p>a. Council declares its intention to levy a Special Charge Scheme at the Ordinary Council Meeting on 14 November 2016 for funding the construction of a sealed roadway surface on parts of Bickertons Road and Riggall Road, Glengarry North; and</p> <p>b. Council gives public notice of its intention to make a declaration of a Special Charge Scheme; and</p> <p>c. Council notifies persons liable to pay the \$1776.32 special charge by sending a notice.</p> <p>2. That Council, in accordance with section 223 of the <i>Local Government Act 1989</i> consider any submissions received in relation to the declaration of its intention to levy a Special Charge Scheme to seal parts of Bickertons Road and Riggall Road, Glengarry North at the Ordinary Council Meeting on 14 November 2016.</p>	<p><b>31 August 2016</b></p> <p>A report will be presented to the 14 November 2016 Council Meeting.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>12 September 2016</p> <p>Infrastructure &amp; Recreation</p>	<p>2016/25 - Footpaths in Central Business District and Moe CBD on Street Car Parking</p> <p><b>(continued below)</b></p>	<p>That Council:</p> <p>1. Develops a report investigating the Moe, Morwell, Traralgon and Churchill Central Business Districts footpaths that includes the following information:</p> <p>a) A current asset condition assessment.</p> <p>b) The number of current defects that require rectification.</p> <p>c) The number of customer requests that have been received over the past five years.</p> <p>d) The number of insurance claims that have been received by Council.</p> <p>e) The history of major reconstruction works that have been undertaken in each centre since 1994.</p> <p>f) What work, indicative costs and timeframe would be required to redevelop the CBD's to an adequate standard</p>	<p><b>20 September 2016</b></p> <p>Preparation of the plans is underway.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
12 September 2016 Infrastructure & Recreation	2016/25 - Footpaths in Central Business District and Moe CBD on Street Car Parking  <b>(continued)</b>	g) If any major works are to be proposed for Council's consideration as part of Council's future capital works programs; and  2. Receives a report in relation to the potential changes to the layout of parking bays in the Moe Central Business District that would alleviate the current problems associated with the on-street car parking areas where street trees are located in the road.	As above
12 September 2016 Infrastructure & Recreation	2016/26 - Parking and Traffic Management, Queen Street, Moe	That Council receives a report in relation to the options, and associated costings, to improve parking and traffic management arrangements in the area of Queen Street, Moe between Elizabeth Street and Margaret Street.	<b>20 September 2016</b> Officers will prepare a report for a future Council Meeting.
12 September 2016 Infrastructure & Recreation	2016/27 - Use of Telephone and Mobile Device Applications for Improving Communication between our Community and Council	That Council requests a report on the use of telephone and mobile device applications for improving communication between our community and council. Particularly in regard to reporting faults with council infrastructure and services; with the report examining the effectiveness of existing applications used by other councils and the cost implications of their use.	<b>20 September 2016</b> Officers will prepare a report for a future Council Meeting.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
12 September 2016  Infrastructure & Recreation	Outdoor Pool Operating Hours 2016/17	That Council:  ... (see minutes for full resolution)...  2. In relation to the Traralgon Outdoor Pool...  Officers provide a report to Council after the end of the outdoor pool season regarding the trial including an evaluation of operating expenses, operating revenue, hourly visitation and community feedback throughout the trial.	<b>20 September 2016</b> A report was presented to the 12 September 2016 Ordinary Council meeting. Council resolved to implement amended operating hours for the 2016/17 outdoor pool season in accordance with the resolution. Due to the caretaker period an advertising campaign will commence for a 7 week period (minimum) following the caretaker period.  A report will be presented to Council at the end of the outdoor pool season (March 2017).
12 September 2016  Infrastructure & Recreation	Country Football Netball Program	That Council requests the CEO to review the TTU Football Netball Club Project and bring a report back to Council.	<b>20 September 2016</b> Officers will prepare a report for a future Council Meeting.

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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  <b>(continued below)</b>	<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>	<p>Project review underway, almost at completion.</p> <p><b>09 March 2016</b> A report will be presented to a Councillor Briefing in May 2016</p> <p><b>08 June 2016</b> The Briefing report has been rescheduled to 27 June 2016.</p> <p><b>20 July 2016</b> A briefing report was prepared for the Councillor briefing on 27 June. Feedback from the briefing was received and a further briefing report is being presented to the Councillor briefing on 25 July. The report outlines an option for gifting the land to a not for profit organisation for a social housing project.</p> <p><b>09 August 2016</b> A briefing report was presented to the Councillor briefing on 25 July. Feedback from the Councillors is currently being considered and a further briefing report will be presented at a future briefing.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
18 February 2013  Community Services	Affordable Housing Project – Our Future Our Place  <b>(continued)</b>	As above	<b>26 August 2016</b> Research to inform a briefing report that examines the viability of establishing a Community Garden at the Hinkler Street Reserve site is currently underway. The briefing report will be scheduled when sufficient information has been collated.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>01 August 2016</p> <p>Community Services</p>	<p>Tarwin Street Pop Up Park</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Extends the duration of the Tarwin Street Pop Up Park until 31 March 2017.</li> <li>2. Publish a Public Notice in the Latrobe Valley Express on 4 August 2016, advising the community that Council intends to exercise its powers under clause 10(1)(c) of Schedule 11 of the Local Government Act 1989 to maintain the closure of the northbound lane of Tarwin Street, Morwell, from Commercial Road for a distance of approximately 30 metres south of Commercial Road and of their rights to make a submission under section 223 of the <i>Local Government Act 1989</i>;</li> <li>3. Consider any submissions received in relation to the proposed closure of Tarwin Street until 31 March 2017 as part of a final decision on the closure of Tarwin Street at the Ordinary Council Meeting to be held on Monday 12 September 2016.</li> </ol>	<p><b>Complete</b></p> <p><b>03 August 2016</b> Report to be presented to Council on 12 September 2016</p> <p><b>20 September 2016</b> Submissions were considered as part of a report presented at the Ordinary Council Meeting on 12 September 2016.</p>



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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
22 August 2016  Community Services	2016/21 - Hinkler Street Reserve Site	That Council requests a report to establish if the Hinkler Street Reserve site could be utilised as a Community Garden site.	<b>26 August 2016</b> Research to inform a briefing report that examines the viability of establishing a Community Garden at the Hinkler Street Reserve site is currently underway. The briefing report will be scheduled when sufficient information has been collated.
22 August 2016  Community Services	Petition Requesting Latrobe City Councillors to Endorse the Future Morwell Revitalisation Plan Incorporating the Morwell Circuit and to have the Plan adopted by 22 September 2016.	That Council:  1 Agrees to lay the petition requesting endorsement and adoption of the Future Morwell Urban Design Revitalisation Plan incorporating the Morwell Circuit, on the table until the Ordinary Council Meeting to be held on 12 September 2016.  2 Advises the head petitioner of Council's decision in relation to the petition requesting endorsement and adoption of the Future Morwell Urban Design Revitalisation Plan incorporating the Morwell Circuit by 22 September 2016.	<b>Complete</b> <b>31 August 2016</b> A report will be presented to Council on 12 September 2016  <b>20 September 2016</b> A report was presented to the 12 September 2016 Council Meeting.

**ORDINARY COUNCIL MEETING AGENDA  
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Council Meeting Date	Item	Resolution	Status Update
<b>Corporate Services</b>			
02 May 2016  Corporate Services	Traralgon Greyhound Racing Club - Long Term Lease  <b>(continued below)</b>	That Council:  1. Endorses the in principle draft terms and special conditions prepared for the long term lease with the Traralgon Greyhound Racing Club for part of Glenview Park, Traralgon, and  2. Forwards a copy of the draft lease document to the Traralgon Greyhound Racing Club for consideration.  3. Requests the Chief Executive to revise and amend the draft terms and special conditions following comments from the Traralgon Greyhound Racing Club and subject to further advice from Council Officers that the outstanding issues have been resolved provide a report prior to the signing of the revised Lease with the Traralgon Greyhound Racing Club and sublease with Telstra for Glenview Park, McNairn Road, Traralgon.	<b>Complete</b> <b>12 May 2016</b> Follow up report will be provided advising Council of the status of the outstanding issues.  <b>08 June 2016</b> A further report is planned to be presented to Council at the 01 August 2016 meeting, subject to receiving information from the Traralgon Greyhound Racing Club.  <b>15 July 2016</b> Council officers met with the President and Manager of the Traralgon Greyhound Racing Club on 7 July 2016 to discuss the terms and conditions of the draft lease. The Greyhound Racing Club has provided its comments in response to the draft lease and requested to speak to Councillors which has been tentatively arranged for the Public Presentation session to be held on 15 August 2016.

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Council Meeting Date	Item	Resolution	Status Update
02 May 2016  Corporate Services	Traralgon Greyhound Racing Club - Long Term Lease  (continued)	As above	<p><b>04 August 2016</b> The Traralgon Greyhound Racing Club has advised: 1/ road works from the horse crossing around to the end of the slipping runs has been completed. 2/ Further remedial and improvement works to the area below the landscaping area will be undertaken over the next few months, and as the weather improves. 3/ Agree to the terms and conditions of the draft lease. A further report to be submitted to 12 September 2016 Council meeting.</p> <p><b>24 August 2016</b> A confidential report has been prepared for Councillor Briefing (1) to be held on 29 August 2016 to provide Councillors with an update on this matter.</p> <p>A report has been drafted for the Council Meeting to be held on 12 September 2016 for Council to revoke the existing lease and enter into the head lease and sublease.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
02 May 2016  Corporate Services	Traralgon Greyhound Racing Club - Long Term Lease  <b>(continued)</b>	As above	<b>20 September 2016</b> Following a report being presented to a Council Meeting on 12 September 2016, Traralgon Greyhound Racing Club and Urbis Pty Ltd, on behalf of Telstra Corporation Ltd, notified in writing of Council decision to enter into the respective lease and sublease for part of Glenview Park subject to all outstanding matters being rectified.

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>22 August 2016</p> <p>Corporate Services</p>	<p>Potential Road Discontinuance and Sale of Land - Sullivans Track, Yallourn</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Pursuant to Section 206 and Schedule 10 Clause 3 of the <i>Local Government Act 1989</i> gives Public notice of its intention to consider the potential discontinuance and sale by private treaty of the unconstructed road reserve described as Road R1 on PS412576W, contained in Certificate of Title Volume 10462 Folio 229 and invite written submissions pursuant to Section 223 of the <i>Local Government Act 1989</i>.</li> <li>2. Considers any written submissions received regarding the potential discontinuance and sale by private treaty of the unconstructed Road R1 on PS412576W, contained in Certificate of Title Volume 10462 Folio 229, at its meeting to be held on Monday 14 November 2016.</li> <li>3. Notifies the owner of Lot 1 Sullivans Track, Yallourn of its decision.</li> </ol>	<p><b>26 August 2016</b></p> <p>Public Notice has been prepared and will be published in the Council Noticeboard on 1 and 8 September 2016 inviting written submissions. A letter to NBA Group is being drafted.</p>

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<b>Council Meeting Date</b>	<b>Item</b>	<b>Resolution</b>	<b>Status Update</b>
<p>22 August 2016</p> <p>Corporate Services</p>	<p>Report into Grant Acquittal Practices</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receives and notes this progress report into grant acquittal practices;</li> <li>2. Notes the management actions contained within the Community Grants and Sponsorships internal audit report; and</li> <li>3. A further report to be presented by 2 December 2016 detailing the progress of designing the new Grants and Sponsorship Framework and demonstrating how it addresses the Audit objectives.</li> </ol>	<p><b>24 August 2016</b></p> <p>A report will be prepared for Council Meeting December 2016 which will outline the progress / completion of implementing the new Grants &amp; Sponsorships Management including addressing the Audit objectives.</p>

Comments provided 21 September 2016. Any further updates after this time will be provided in the next Council Meeting Agenda.

# NOTICES OF MOTION

**9. NOTICES OF MOTION**

Nil reports



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

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

**10.1 PLANNING SCHEME AMENDMENT C85 - CRINIGAN ROAD, MORWELL**

**General Manager**

**City Development**

**For Decision**

*The recommended decision is not a major policy decision, as defined in section 93A of the Local Government Act 1989 or a significant decision within the meaning of the Election Period Policy.*

**PURPOSE**

This report provides an update to Council in relation to the next steps of Planning Scheme Amendment C85 – Crinigan Road, Morwell.

**EXECUTIVE SUMMARY**

At the 7 December 2015 Ordinary Council Meeting, Council resolved to defer consideration of Planning Scheme Amendment C85 until advice was received from the landowner of the subject site as to how they wish to proceed with the amendment.

A solicitor firm, acting on behalf of the landowner of the Amendment C85 site, formally advised Latrobe City Council on 12 August 2016 that their client wishes to proceed with Amendment C85 (see Attachment 1).

Amendment C85 must now proceed in accordance with the prescribed planning scheme amendment process.

A report seeking Council's formal consideration of the submissions received in relation to Amendment C85 and approval to progress the amendment to the next stage will be presented at a future Ordinary Council Meeting.

**RECOMMENDATION**

**That Council:**

- 1. Notes that the landowner of Lot 1 PS 634891 Crinigan Road, Morwell will proceed with Planning Scheme Amendment C85.**
- 2. Notes that a further report seeking Council's consideration of submissions received to Amendment C85 will be presented at a future Ordinary Council Meeting.**
- 3. Advises those persons who made written submissions to Amendment C85 of Council's decision.**

### **DECLARATION OF INTEREST**

The Manager Planning Services declared an indirect interest under section 78 of the *Local Government Act 1989*. In order to provide unbiased advice to Council, the Manager Planning Services 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*

##### *Theme and Objectives*

##### *Theme 5: Planning for the future*

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

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

##### *Strategic Direction – Planning for the future*

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

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

##### *Legislation*

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

### **BACKGROUND**

An application proposing to rezone land at Lot 1 PS 634891 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 former 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.

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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 could not be satisfied, in accordance with Section 23(1) of the *Planning and Environment Act 1987* (the Act) the next step of the amendment process was to either request the Minister for Planning to establish a planning panel to independently consider all submissions or for Council to abandon the amendment.

On 26 May 2015 the proponent provided written advice to Latrobe City Council confirming that their client was abandoning 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.

In order to facilitate an outcome, at the Ordinary Council Meeting held on 7 December 2015, Council resolved the following:

*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.*

In accordance with section 30(1) of the Act, the amendment was due to lapse on 30 October 2016, two years after the date of publication of the notice in the Government Gazette. On 15 September 2016 the Department of Environment, Land, Water and Planning (DELWP) granted an extension of time under section 30(1)(a)(ii) of the Act to allow Council additional time to consider the amendment. Council must now consider whether to adopt or abandon Amendment C85 by 27 June 2017.

**KEY POINTS/ISSUES**

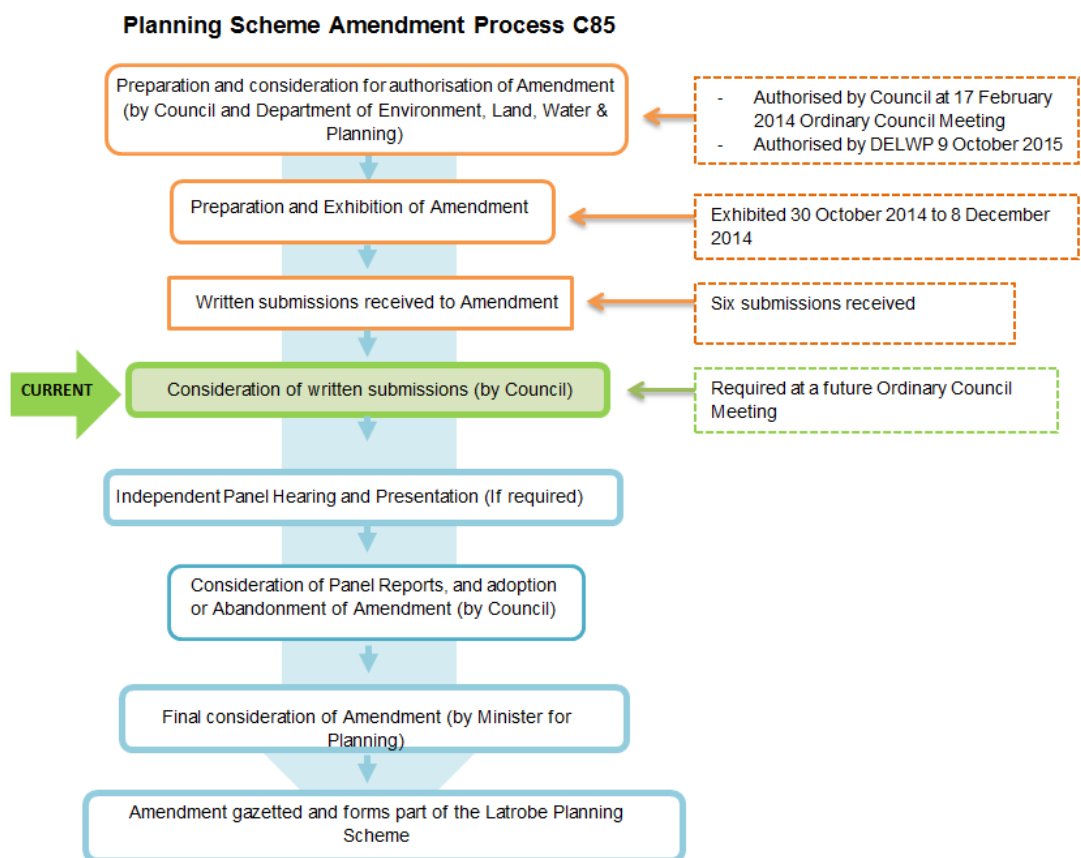
A solicitor firm, acting on behalf the landowner of the Amendment C85 site, formally advised Latrobe City Council on 12 August 2016 that their client wishes to proceed with Amendment C85.

In order for the amendment to proceed to the next phase of the planning scheme amendment process, a report seeking Council's consideration of all submissions received to Amendment C85 will be presented at a future Ordinary Council Meeting.

## ORDINARY COUNCIL MEETING AGENDA 03 OCTOBER 2016 (CM490)

Due to the amendment being on hold while the landowner has been considering their options, it will be appropriate for Latrobe City Council to make contact with all submitters to Amendment C85 in order to confirm if their original submission still stands. On 16 August 2016, a submitter formally withdrew their submission of concern and therefore only one submission remains outstanding.

The planning scheme amendment process is shown in the figure below and provides an indication of the current stage of Amendment C85.



### **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 as result of this report.

### **INTERNAL/EXTERNAL CONSULTATION**

In accordance with the resolution of the 7 December 2015 Ordinary Council Meeting, all submitters to Amendment C85 were formally notified of Council's resolution.

In May 2016, a further project update was provided to those submitters who raised concerns with the amendment.

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

All submitters have been notified that Amendment C85 will now be proceeding to the next phase of the planning scheme amendment process.

Given almost two years has passed since Amendment C85 was on public exhibition, a review of landownership in the area will be undertaken and any new landowners will be contacted regarding the Amendment C85 proposal so that they will have the opportunity to participate in the Amendment C85 process moving forward.

**OPTIONS**

The options available to Council are as follows:

1. That Council notes that the landowner of the Amendment C85 subject site will proceed with Planning Scheme Amendment C85; or
2. That Council requests further information.

**CONCLUSION**

Latrobe City Council has received formal advice that the landowner of the Amendment C85 site does wish to proceed with the amendment.

Amendment C85 must now proceed in accordance with the prescribed planning scheme amendment process.

A report seeking Council's formal consideration of the submissions received in relation to Amendment C85 and approval to progress the amendment to the next stage will be presented at a future Ordinary Council Meeting.

**SUPPORTING DOCUMENTS**

Nil

1. Letter from Davis Advisory Lawyers - 12 August 2016 (Published Separately)  
**Attachments**  
(Confidential)

# 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 ANNUAL REPORT FOR DEVELOPMENT CONTRIBUTION PLANS**

General Manager

City Development

For Decision

*The recommended decision is not a major policy decision, as defined in section 93A of the Local Government Act 1989 or a significant decision within the meaning of the Election Period Policy.*

**PURPOSE**

This report presents to Council an annual report on funds collected, works in kind delivered and Council projects delivered from development contribution levies as part of Development Contribution Plans in the 2015/2016 Financial Year.

**EXECUTIVE SUMMARY**

Legislation changes to the *Planning and Environment Act 1987 (the Act)* require new reporting for both Infrastructure Contribution Plans (ICP's) and Development Contribution Plans (DCP's).

Latrobe City Council have DCPs for Morwell North West, Traralgon North and Lake Narracan. As part of the DCPs Council is required to deliver over \$94,000,000 worth of works over the life of the plan (approximately 35 years).

A DCP identifies what new infrastructure is required as part of the development of a precinct and allocates funds to these infrastructure items so that they are delivered.

Latrobe City Council has one DCP for Lake Narracan, relevant to the new legislation and must be formally reported on. This is due to the Lake Narracan DCP being an incorporated document in the Latrobe Planning Scheme. However, to ensure transparency of all Latrobe City Council DCPs an annual report has been prepared for the 2015/2016 Financial Year showing works in kind delivered, cash contributions received and council projects delivered with DCP levies collected for all Latrobe City Council DCPs.

The annual report highlights that between October 2010 and June 2015 a total of \$883,241 worth of works has been delivered by developers' works in kind and a total of \$298,486.29 cash contributions have been received.

In the 2015/2016 Financial Year a total of \$43,200 of Community Infrastructure Levy (CIL) was received for the Traralgon North Development Plan. A total of nine projects for the Morwell North West Development Plan (DP) and DCP and Traralgon North DP and DCP have been delivered in kind for dollar value of \$146,260.66 and \$512,128 respectively.

## ORDINARY COUNCIL MEETING AGENDA 03 OCTOBER 2016 (CM490)

As Lake Narracan DCP was formally gazetted on 17 December 2015, no works in kind or cash contributions have been received.

### RECOMMENDATION

**That Council receives and notes the Annual Report for Development Contribution Plans.**

### 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 – Built Environment*

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

##### *Strategic Objectives – Governance*

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

#### Latrobe City Council Plan 2013 - 2017

##### Theme and Objectives

##### *Theme 3: Efficient, effective and accountable governance*

*Objective* – To achieve the highest standards of financial probity and meet all statutory obligations.

##### *Strategic Direction – Efficient, effective and accountable governance*

Continuously improve financial management and reporting.

*Objective* – To provide open, transparent and accountable governance

##### *Theme 5: Planning for the future*

*Objective* – To provide a well planned, connected and liveable community

### BACKGROUND

In June 2015 legislation was enacted to amend the *Act* in order to provide for a new system for levying and collecting contributions towards the provision of infrastructure. The *Planning and Environment Amendments (Infrastructure Contributions) Act 2015* introduced new reporting requirements for both ICP's and Development Contribution Plans DCP's.

## ORDINARY COUNCIL MEETING AGENDA 03 OCTOBER 2016 (CM490)

Table 1 shows Latrobe City Council three DCPs which we are administering and total costs;

Table 1

DCP	Total Cost of Works
Morwell North West Development Plan (DP) and DCP	\$14,621,619
Traralgon North DP and DCP	\$20,075,580
Lake Narracan Precinct Structure Plan and DCP	\$59,538,404
<b>TOTAL</b>	<b>\$94,235,603</b>

A DCP identifies what new infrastructure is required as part of the development of a precinct and allocates funds to these infrastructure items so that they are delivered. Two types of levies can be included in a Development Contribution Plan being Development Infrastructure Levy (DIL) and Community Infrastructure Levy (CIL).

A DIL is assigned to most infrastructure items including, drainage, roads, playgrounds, paths, open space and land. A DIL is payable per developable hectare and is not capped.

A CIL is assigned to the delivery of community facilities only. The CIL is capped up to \$900 per dwelling.

The infrastructure can be delivered in two ways:

1. Works in kind – the developer delivers the works and is provided with a credit on the amount of contribution they have to pay.
2. Cash Contribution – the developer pays the cash amount identified in the DCP and Council delivers the infrastructure item.

### **KEY POINTS/ISSUES**

The annual report (Attachment 1) provides a summary of previous year's works in kind delivered and cash contributions received for in the period 2010 – June 2015. The report also details cash contributions received, works in kind delivered and Council projects delivered with the collection of DCP levies for 2015/2016 Financial Year.

Table 2 below shows a summary of Development Contributions collected or delivered between 2010 and June 2015.



**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

Table 2 – Summary of DCP collections

Financial Year	Morwell North West		Traralgon North		Lake Narracan	
	WIK \$	Cash \$	WIK \$	Cash \$	WIK \$	Cash \$
2010/2011	-	-				
2011/2012	-	-				
2012/2013	\$696,478.33	\$298,486.29				
2013/2014			-	-		
2014/2015	\$186,762.67		-	-		
<b>TOTAL</b>	<b>\$883,241</b>	<b>\$298,486.29</b>	-	-		

In summary, between October 2010 and June 2015 a total of \$883,241 worth of works have been delivered by developers through works in kind and a total of \$298,486.29 cash contributions have been received. All works in kind and cash were in relation to the Morwell North West DP and DCP.

Table 3 and Table 4 shows for the 2015/2016 financial year the cash amount of development contributions received and total works and / or land delivered as works in kind.

Table 3 – Cash contribution

Name of DCP	Contributions received for 2015/2016 Financial Year \$
Traralgon North DCP	\$43,200 (CIL)
<b>TOTAL</b>	<b>\$43,200</b>

## ORDINARY COUNCIL MEETING AGENDA 03 OCTOBER 2016 (CM490)

Table 4 – Land, works, services of facilities delivered WIK.

Name of DCP	Project ID	Project Description	Item Purpose	Total Cost Project in DCP \$	Total Cost of Project Delivered in 15/16 Financial Year \$
Morwell North West DCP	RD-04	Construction of Heritage Street	Continuation of construction of Heritage Street for Stage 5B	\$84,358	\$16,735.00
Morwell North West DCP	RD-08	Road widening for Heritage Street	Land for road widening	\$11,445	\$1,038.29
Morwell North West DCP	RD-03	Construction of Ashley Street	Continuation of construction of Ashley Street	\$1,086,424	\$120,090.64
Morwell North West DCP	RD-07	Land for road widening, Ashley Street	Land for road widening	\$53,654	\$6,015.73
Morwell North West DCP	PT-01	Bus Stop	Construction of one bus stop.	\$29,215	\$2,381.00
Traralgon North DCP	DI_OS_2a	Passive open space improvements	Landscaping to Reserve 1	\$2,506,991	\$275,859
Traralgon North DCP	DI_LA_8a	Land for widening of Marshalls Road	2m widening of Marshalls Road frontage	\$30,875	\$30,875
Traralgon North DCP	DI_TR_4	Shared path, part construction	212m of path constructed on internal connector street	\$280,649	\$39,644
Traralgon North DCP	DI_LA_4	Land for retention basin	Land for retention basin	\$165,750	\$165,750
<b>Total</b>					<b>\$658,388.66</b>

In summary, in the 2015/2016 Financial Year:

- A total of \$43,200 CIL was received for Traralgon North DP and DCP
- Five projects from the Morwell North West DP and DCP were delivered as works in kind with a total dollar value of \$146,260.66.
- Four projects from the Traralgon North DP and DCP were delivered as works in kind with a total dollar value of \$512,128.
- To date, no projects have been delivered by Latrobe City Council with the DCP levies.

**RISK IMPLICATIONS**

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

If the report is not noted there is a risk that we will not meet our statutory obligations under the Act to report on Development Contribution Plans.

**FINANCIAL AND RESOURCES IMPLICATIONS**

There are no financial or resource implications associated with this report. The annual report only report on what has happened in the 2015/2016 Financial Year of funds collected, works in kind delivered and council projects delivered from development levies collected.

The delivery of infrastructure items through DCP levies will have impact on Council Capital Works program in the future. A future report detailing the cash flow implication on the delivery of these infrastructure items will be presented to a future Council Meeting.

**INTERNAL/EXTERNAL CONSULTATION**

*Internal engagement:*

Input from Finance, Statutory Planning, Engineering and Urban Growth have been sought in the preparation of the annual report.

*External Engagement:*

No external engagement is required for the preparation of the annual report.

**OPTIONS**

Options available to Council are as follows:

1. That Council receives and notes the Annual Report for Development Contributions Plan.

**CONCLUSION**

Changes to the *Act* require new reporting requirements for ICP and DCP.

An Annual Report has been prepared which provides detail around works in kind that have been delivered, cash contributions that have been received and projects that have been delivered by council with collected DCP levies for the 2015/2016 Financial Year.

Annual reporting will continue on all DCP funds collected to ensure transparency on works in kind delivered, cash contributions received and projects delivered as part of the DCP's.

A report will be presented to Council in the future on cash flow implications and affordability of delivering DCP infrastructure items as part of future Capital Works programs.

**SUPPORTING DOCUMENTS**

Nil

**ORDINARY COUNCIL MEETING AGENDA  
03 OCTOBER 2016 (CM490)**

**Attachments**

1. Annual Report Development Contribution Plans

## **14.1**

### **Annual Report for Development Contribution Plans**

<b>1</b>	<b>Annual Report Development Contribution Plans.....</b>	<b>71</b>
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# Annual Report

*Development Contribution Plans*



July 2016





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## 1.0 Introduction

### 1.1 Background

In June 2015 legislation was enacted to amend the *Planning and Environment Act 1987* in order to provide for a new system for levying and collecting contributions towards the provision of infrastructure. The *Planning and Environment Amendments (Infrastructure Contributions) Act 2015* introduced new reporting requirements for both Infrastructure Contribution Plans (ICP's) and Development Contribution Plans (DCP's).

Latrobe City Council have three Development Contribution Plans which are being implemented; the Morwell North West Development Plan (DCP) and Development Contribution Plan (DCP), Traralgon North DP and DCP and Lake Narracan Precinct Structure Plan (PSP) and DCP. Formally, only the Lake Narracan PSP and DCP will be required to be reported on relevant to the new legislation.

The Lake Narracan PSP and DCP is the only DCP that has to be reported on as it is formally incorporated into the Latrobe Planning Scheme. The Morwell North West DP and DCP and Traralgon North DP and DCP are informal DCP's through a Section 173 Agreement.

### 1.2 Development Contribution Plans

A DCP identifies what new infrastructure is required as part of the development of a precinct and allocates funds to these infrastructure items so that they are delivered. Two types of levies can be included in a Development Contribution Plan being Development Infrastructure Levy (DIL) and Community Infrastructure Levy (CIL).

A DIL is assigned to most infrastructure items including, drainage, roads, playgrounds, paths, open space and land. A Development Infrastructure Levy is payable per developable hectare and is not capped.

A CIL is assigned to the delivery of community facilities only. The Community Infrastructure Levy is capped up to \$900 per dwelling.

In the preparation of a DCP Latrobe City Council needs to ensure that contributions are reasonable, fair and appropriately timed. Therefore, most times DCPs have an external apportionment assigned to them which council is to pay.

Development Contributions are required to be paid once development starts and a condition on the planning permit is added to ensure this is done. The condition can require a section 173 Agreement to be entered into to require the DIL and CIL.





The infrastructure can be delivered in two ways:

1. Works in kind – the developer delivers the works and is provided a credit on the amount of contribution they have to pay.
2. Cash Contribution – the developer to pay the cash amount identified in the DCP and Council delivers the infrastructure item.

### 1.2.1 Morwell North West Development Plan and Development Contribution Plan 2010

The Morwell North West Development Plan was adopted by Council in 2010. The development plan area is bounded by Crinigan Road and rural residential properties to the north; Holmes Road and the Maryvale Recreation Reserve to the south; Maryvale Road to the east and Latrobe Road to the west (see Figure 1).

The Morwell North West Development Plan precinct covers an area of approximately 142 hectares, containing some 70 individually owned allotments.

The Development Plan shows where future residential areas, roads, pathways, parks wetlands and physical infrastructure will be located.



Figure 3: Development Plan  
16 © CPD

Figure 1 – Morwell North West Development Plan



The Morwell North West Development Plan and Development Contribution Plan has a total of \$14,621,619.00 worth of Development Contributions. A total of \$12,221,404 is apportioned to the precinct. Therefore, \$2,400,215 is council's contribution.

There is no CIL which forms part of the Morwell North West Development Plan and Development Contribution Plan.

### 1.2.2 Traralgon North Development Plan and Development Contribution Plan 2013

The Traralgon North Development Plan was endorsed by Council in 2013 for land located to the north of Marshalls Road Traralgon, bounded by Traralgon-Maffra Road to the east, Marshalls Road to the south, the floodplain to the west and a high pressure oil and gas pipeline to the north. The precinct has a total land area of 118 ha and contains 13 landowners (see Figure 2).

As with Morwell North West, the Development Plan sets out the locations of major infrastructure items for the precinct.

The Traralgon North Development Contributions Plan details shared infrastructure items and how they will be equitably funded by landowners as lots are developed.

Figure 4: The Development Plan



Figure 2 – Traralgon North Development Plan





The Traralgon North Development Plan and Development Contribution Plan have a total of \$20,075,580 worth of Development Contributions. A total of \$16,200,915 are apportioned to the precinct. Therefore \$3,871,665 is Council’s contribution.

The CIL contribution for the Traralgon North Development Plan and Development Contribution Plan is \$900 per dwelling.

**1.2.3 Lake Narracan Precinct Structure Plan and Development Contribution Plan**

The Lake Narracan PSP applies to approximately 604 hectares of land and contains 85 parcels of land. The PSP area is generally defined by Lake Narracan along the northern and eastern boundary, Becks Bridge Road along the western boundary and Moe North Road (Old Sale Road) and the Moe Yallourn Rail Trail along the southern boundary (See Figure 3).

The Lake Narracan PSP was approved by the Minister for Planning and was gazetted into the Latrobe Planning Scheme on 17 December 2015.

The Lake Narracan PSP is a long-term plan for urban development. It describes how the land is expected to be developed and how and where services are planned to support development.

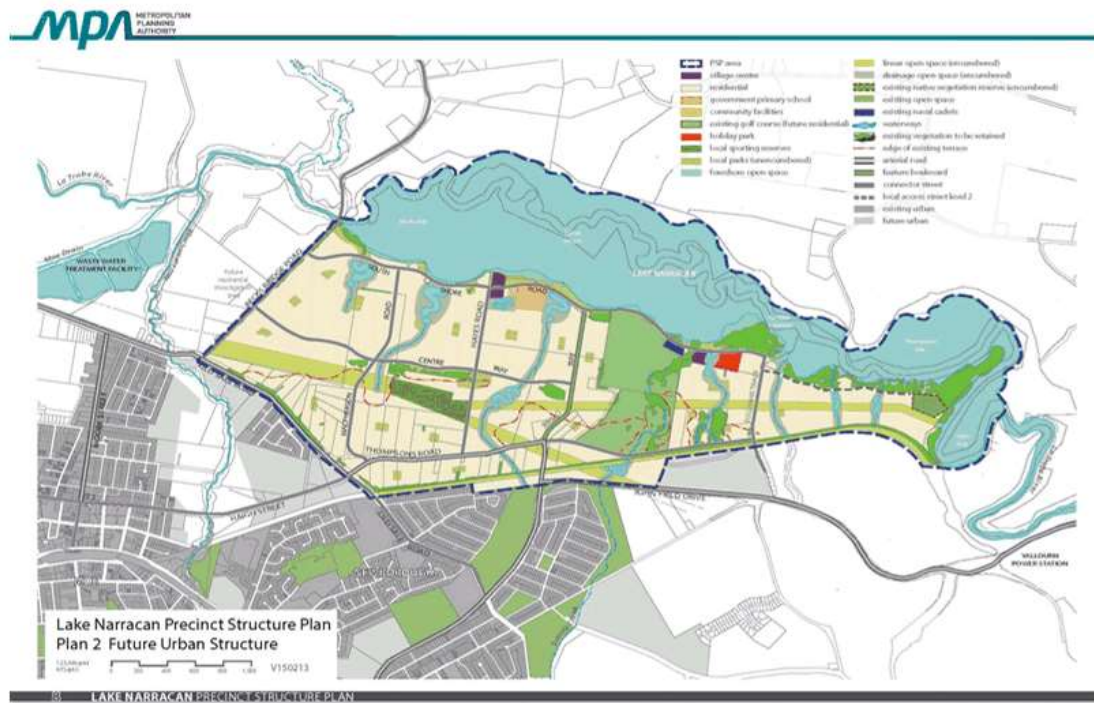


Figure 3 – Lake Narracan Precinct Structure Plan



There Lake Narracan Precinct Structure Plan and Development Contribution Plan has a total of \$59,538,404 worth of Development Contributions. A total of \$57,586,819 is apportioned to the precinct. Therefore, \$1,951,585 is council's contribution.

The CIL contribution for the Lake Narracan Precinct Structure Plan and Development Contribution Plan is \$881 per dwelling.



## 2.0 Managing Development Contribution Plans

### 2.1 Purpose

The purpose of this report is to provide a summary of the works in kind that have been completed or cash contributions that have been received 2010 to June 2015. A detailed list of works in kind that have been completed or cash contributions that have been received in the 2015/2016 Financial Year is also provided.

### 2.2 Summary of Development Contributions 2010 – June 2015

Table 1 Summary of Development Contributions collected or delivered 2010 to June 2015 for Morwell North West, Traralgon North and Lake Narracan

Financial Year	Morwell North West		Traralgon North		Lake Narracan	
	WIK \$	Cash \$	WIK \$	Cash \$	WIK \$	Cash \$
2010/2011	-	-				
2011/2012	-	-				
2012/2013	\$696,478.33	\$298,486.29				
2013/2014			-	-		
2014/2015	\$186,762.67		-	-		
<b>TOTAL</b>	<b>\$883,241</b>	<b>\$298,486.29</b>	-	-		

DCP not approved

### 2.3 2015 / 2016 Financial Year Development Contributions

Table 2 – Total DCP Contributions Received 2015/2016 Financial Year

Name of DCP	Contributions received for 2015/2016 Financial Year \$
Traralgon North DCP	\$43,200 (CIL)
<b>TOTAL</b>	<b>\$43,200</b>



Table 3 – Any DCP land, works, services or facilities accepted through works in kind  
2015/2016 Financial Year

Name of DCP	Project ID	Project Description	Item Purpose	Total Cost Project in DCP \$	Total Cost of Project Delivered in 15/16 Financial Year \$
Morwell North West DCP	RD-04	Construction of Heritage Street	Continuation of construction of Heritage Street for Stage 5B	\$84,358	\$16,735.00
Morwell North West DCP	RD-08	Road widening for Heritage Street	Land for road widening	\$11,445	\$1,038.29
Morwell North West DCP	RD-03	Construction of Ashley Street	Continuation of construction of Ashley Street	\$1,086,424	\$120,090.64
Morwell North West DCP	RD-07	Land for road widening, Ashley Street	Land for road widening	\$53,654	\$6,015.73
Morwell North West DCP	PT-01	Bus Stop	Construction of one bus stop.	\$29,215	\$2,381.00
Traralgon North DCP	DI_0S_2a	Passive open space improvements	Landscaping to Reserve 1	\$2,506,991	\$275,859
Traralgon North DCP	DI_LA_8a	Land for widening of Marshalls Road	2m widening of Marshalls Road frontage	\$30,875	\$30,875
Traralgon North DCP	DI_TR_4	Shared path, part construction	212m of path constructed on internal connector street	\$280,649	\$39,644
Traralgon North DCP	DI_LA_4	Land for retention basin	Land for retention basin	\$165,750	\$165,750
<b>Total</b>					<b>\$658,388.66</b>

Table 4 – Any works services or facilities delivered from the DCP levies collected  
2015/2016 Financial Year

Name of DCP	Project ID	Project Description	DCP Fund (\$)	Council's Contribution	Other Contributions (\$)	Total Project Cost	Percentage of item delivered
-	-	-	-	-	-	-	-



## 3.0 Conclusion

In summary, from 2010 to June 2015 a total of \$883,241 in work in kind were delivered for the Morwell North West project. A total of \$298,486.29 cash contribution has been received.

In 2015/2016 Financial Year a total CIL of \$43,200 was received for the Traralgon North DCP. A total of 9 projects were delivered by works in kind from the developer for both the Morwell North West and Traralgon North Development Plan and Development Contribution Plan for a total dollar value of \$658,388.66. No projects were delivered by Council with DCP levies collected.

The dollar value for works in kind for the five projects delivered for the Morwell North West Development Plan and Development Contribution Plan is \$146,260.66.

The dollar value for works in kind for the four projects delivered for the Traralgon North Development Plan and Development Contribution Plan is \$512,128.

**14.2 REVIEW OF THE PERFORMANCE OF THE STATUTORY  
PLANNING FUNCTION IN THE 2015/16 FINANCIAL YEAR**

**General Manager**

**City Development**

**For Information**

*The recommended decision is not a major policy decision, as defined in section 93A of the Local Government Act 1989 or a significant decision within the meaning of the Election Period Policy.*

**PURPOSE**

This report provides a review of the performance of the statutory planning function of Latrobe City Council during the 2015/16 financial year, including outcomes of the revised planning delegations. It shows that the revised delegation process and the continuous improvement programme have had a positive effect on the efficiency and speed of the planning decision process in Latrobe City.

**EXECUTIVE SUMMARY**

In the 2015/2016 financial year, three hundred planning decisions were issued including 22 applications decided under the amended delegation process. Of the applications decided under the amended delegation process all but 2 applications were finalised within 60 statutory days.

93% of all planning applications were decided within 60 statutory days in the 2015/16 financial year.

The new delegations, together with other process improvements have delivered quicker and more efficient planning decisions.

**RECOMMENDATION**

**That Council receives and notes the performance of the statutory planning function during the 2015/16 financial year.**

**DECLARATION OF INTERESTS**

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

**STRATEGIC FRAMEWORK**

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

*Latrobe 2026: The Community Vision for Latrobe Valley*

*Strategic Objectives - Economy*



## ORDINARY COUNCIL MEETING AGENDA 03 OCTOBER 2016 (CM490)

*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 5: Planning For The Future*

##### *Objectives:*

- *To provide clear and concise policies and directions in all aspects of Planning.*
- *To reduce the time taken to process land use and development planning applications.*

##### *Strategic Direction – Job creation and economic sustainability*

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

##### *Indicators*

*Indicator 1 – Percentage of planning permit applications by category processed within 60 statutory days annually.*

### **BACKGROUND**

Planning for the Future, Job Creation and Economic Sustainability are themes identified in the Council Plan, 2013-2017. A focus has been placed on the objective 'to reduce the time taken to process land use and development planning applications' and 'to provide incentives and work proactively to attract new businesses and industry to locate in Latrobe City.

The Economic Sustainability Strategy, 2016 identifies actions to make it easy for businesses to invest, adapt and grow. A strategic direction includes "Provide efficient and effective planning services and decision making to encourage development and new investment opportunities including Latrobe City Council intends to be at the forefront of delivery of planning permit assessments and visionary strategic land use planning".

On 3 March 2014, Council resolved to amend its delegations to Planning Officers, to be more in line with practices across Local Government in Victoria. It was considered appropriate to allow a wider range of planning decisions to be delegated to the Chief Executive Officer to drive more efficient and faster planning outcomes. Planning reports and updates have been distributed each week to Councillors to provide regular information on the progress of the new planning process.

Prior to March 2014 Council delegated all planning decisions to Planning Officers, with the exception of decisions with objections or those recommended for refusal. An application that received one or more objections or was recommended for refusal was required to be decided at an Ordinary Council Meeting.

## ORDINARY COUNCIL MEETING AGENDA 03 OCTOBER 2016 (CM490)

It is estimated that this delegation model added an average of six weeks to the timeframe for a decision on an application. It also provided additional workload in report-writing and administration of the process, further impacting the speed of the planning service.

### **DISCUSSION**

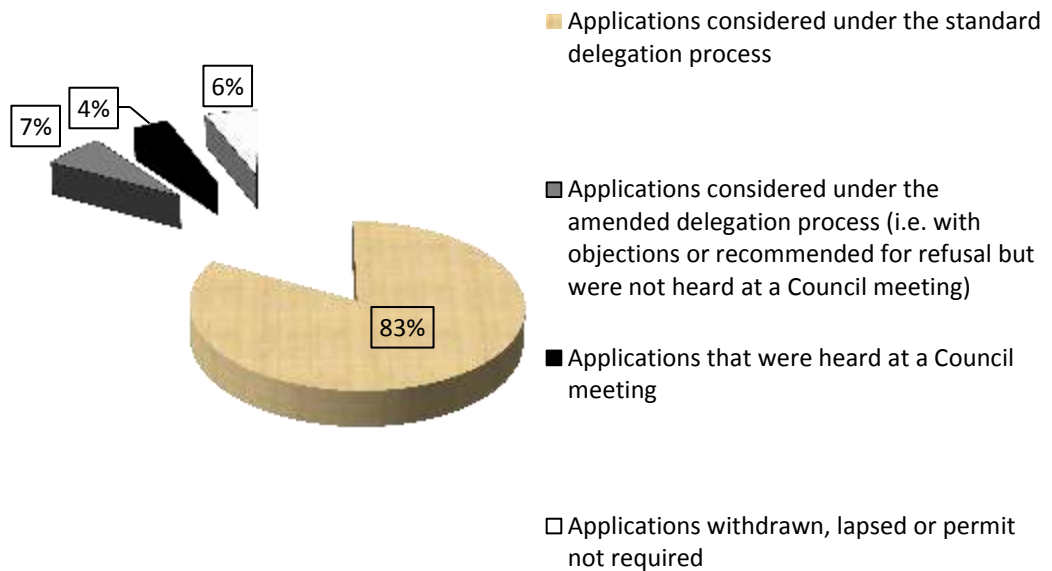
The following is an outline of planning decisions made during the period 1 July 2015 to 30 June 2016:

- 22 applications decided as per the amended delegations as approved by Council on 3 March 2014;
  - 15 applications had one or more objections;
  - 7 applications were recommended for refusal;
  - 11 applications were heard at an Ordinary Council Meeting - 5 with more than 5 objectors and 6 were requested by a Councillor to have the matter decided by Council that could have been considered under the amended delegations.
- 20 of the 22 applications were assessed in less than 60 statutory days.
  - One application was for a 2 lot resubdivision proposal in Hoven Drive, Traralgon. A drainage study had to take place due to concerns raised by WGCMA in relation to possible downstream inundation impacts which resulted in a long but a necessary delay to the application assessment process.
  - The other application was for a 2 unit and 2 lot subdivision proposal in Mclean Street, Morwell. Officers tried to work with the applicant but ultimately the proposal was not supported as sufficient changes were not made to make the development consistent with Rescode considerations and the protection and conservation of significant vegetation within the road reserve
- All except one of the applications requested to be considered at an Ordinary Council were related to dwelling and/or subdivision proposals in the Farming Zone.
- 4 applications for review have been lodged at VCAT in relation to these decisions. VCAT has set aside one of Councils decisions (in relation to planning permit application 2015/130 for the use and development of the land for a dwelling in the Farming Zone which was appealed by DEDJTR). Hearing dates have been set for the other three appeal hearings.

A list of the applications that were decided under the amended process delegation is included in attachment 1.

The following graph shows the percentage breakdown of planning decisions that were decided from 1 July 2015 to 30 June 2016 and details which path they were considered through. 300 applications were decided this period.

### How applications were decided in the 2015/2016 financial year (%)



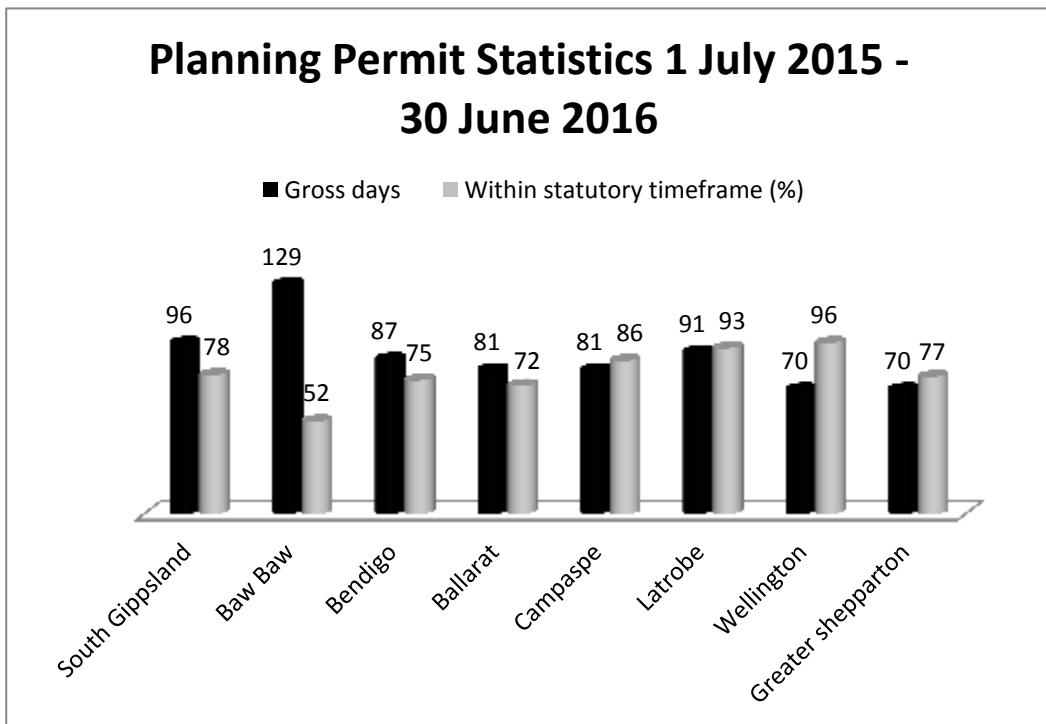
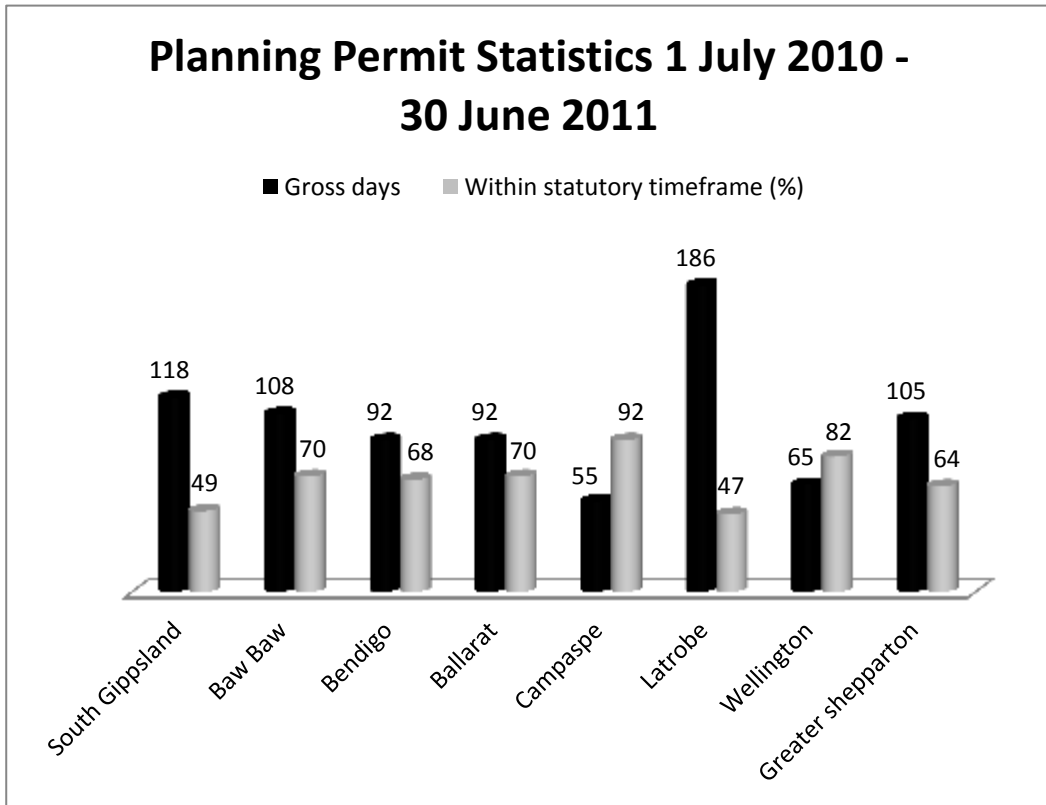
As part of the change to delegations, Councillors have been provided with regular planning reporting, including weekly information on new applications lodged and updates on the progress of current applications.

Throughout the 12 month period, further improvements to processes were made to achieve more efficient and effective planning outcomes for our community, as follows:

- Frontloading and electronic referrals and notifications at the earliest opportunity – resulting in faster processing times;
- Reminders to internal and external referral authorities when response due date is imminent;
- Early involvement in the subdivisions and certifications process has identified potential concerns sooner, eliminating double-ups;
- Designated “planning advice” email setup which has provided over 260 planning advice emails to customers since January 2016;
- Stronger review and checking process before entering into Section 173 agreements;
- Commencement of planning website review and updates and improvements occurring concurrently; and
- Commenced analysis of “gross days” in assessment timeframes for planning applications to assess how this area can be improved further.

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The below chart compares Latrobe City’s planning decisions with other similar municipalities. The first chart show statistics for the period between 1 July 2010 – 30 June 2011 and the second chart shows statistics for the period 1 July 2015 – 30 June 2016. There has been a 50% reduction in gross timeframes in the assessment of applications and an increase from 47% to 93% in relation to compliance with statutory timeframes over that period.



Charts outlining statistics of all business years between 2010-2011 to 2015-2016 are included in attachment 2.

A breakdown on a monthly basis of applications decided within 60 statutory days for the 2015/16 financial year (as provided in the Councillor bulletin) is included in attachment 3.

### **RISK IMPLICATIONS**

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

### **FINANCIAL RESOURCES IMPLICATIONS**

Process improvements and associated costs have been allowed for in 2016-17 recurrent Statutory Planning team budget.

### **OPTIONS**

Council has the following option in regards to this report:

1. Receives and notes the performance of the statutory planning function during the 2015/16 financial year.

### **CONCLUSION**

Prior to March 2014, planning applications with one objector or recommended for refusal were considered by Council for decision at an Ordinary Council meeting. Many of these applications were routine compounding the inefficiencies of the process and increased the likelihood for delays in the assessment of planning applications.

Alterations to the Council delegations were made in addition to a continuous improvement programme within the Statutory Planning team which has driven Council's planning service towards best practice, and to be more in line with current practice of many Victorian councils. In particular, this change has delivered improvements in speed, consistency and efficiency for the Latrobe City community and in particular the development community.

Councillors will continue to receive weekly reports on planning applications and decisions made while the statutory planning team will strive for further improvements in our everyday work.

#### **Attachments**

1. Applications decided under the amended delegation process in 2015/16
2. Statistics of all business years between 2010/11 and 2015/16
3. Percentage of planning applications decided in under 60 statutory days by month in 2015/16

## **14.2**

### **Review of the Performance of the Statutory Planning Function in the 2015/16 Financial Year**

<b>1</b>	<b>Applications decided under the amended delegation process in 2015/16.....</b>	<b>89</b>
<b>2</b>	<b>Statistics of all business years between 2010/11 and 2015/16.....</b>	<b>93</b>
<b>3</b>	<b>Percentage of planning applications decided in under 60 statutory days by month in 2015/16 .....</b>	<b>97</b>

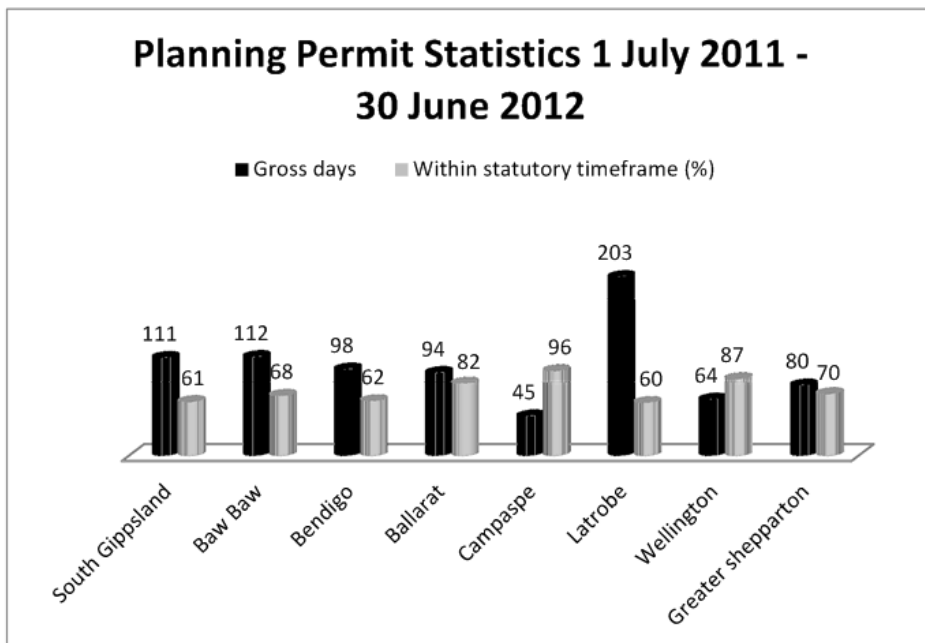
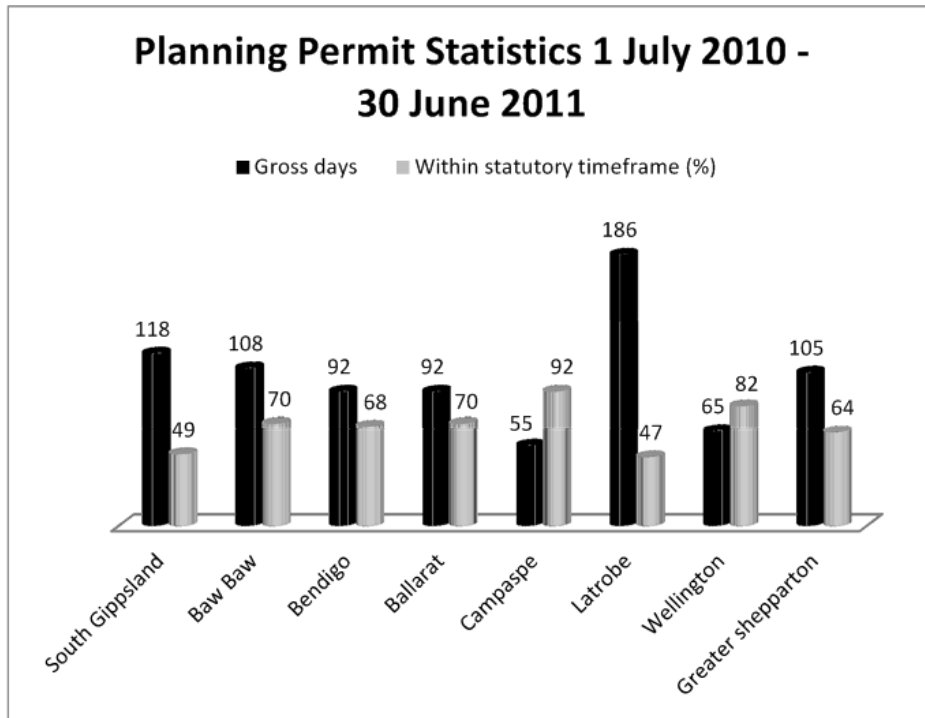
App No	Short description of proposal	Address	Reason placed on list	Recommendation	Decision	Decision Time-Statutory Days
2015/100	Use & Development of 4 industrial warehouses, business identification signage and reduction of car parking (7) spaces	12-13 Nefertiti Court Traralgon	2 Objectors	Approval	Approved	24 days
2015/116	Use of land for manufacturing sales (Clause 35.07-1) and retrospective approval of an existing building	55 Becks Bridge Road Newborough	1 Objector	Approval	Approved	31 Days
2015/170	2 Lot Subdivision	62 Gabo Way Morwell	2 Objectors	Approval	Approved	26 days
2015/171	2 Lot Subdivision & Use & Development of land for a single dwelling associated with a Section 2 Use within 100 meters of a waterway	35 Hoven Drive Traralgon	3 Objectors	Approval	Approved	115 days
2015/186	Use of Land for a laundromat & waiver of car parking in a commercial 2 zone.	2/72 Argyle Street Traralgon	1 Objector	Approval	Approved	18 days
2015/189	2 Lot subdivision & Removal of Native Vegetation within the Rural Living Zone	110 Jeeralang North Road Hazelwood North	1 Objector	Approval	Approved	23 days
2015/191	Use of land for a dwelling & extension to an existing building	126 Church Road Hazelwood north	1 Objector	Refusal	Refused	53 days
2015/192	Use & Development of land for a food & drink premises, Cinema, Motel & Officer, Development of 21 Dwellings in the mixed use zone	24, 26 & 28 Grey Street Traralgon	4 Objectors	Approval	Approved	16 days

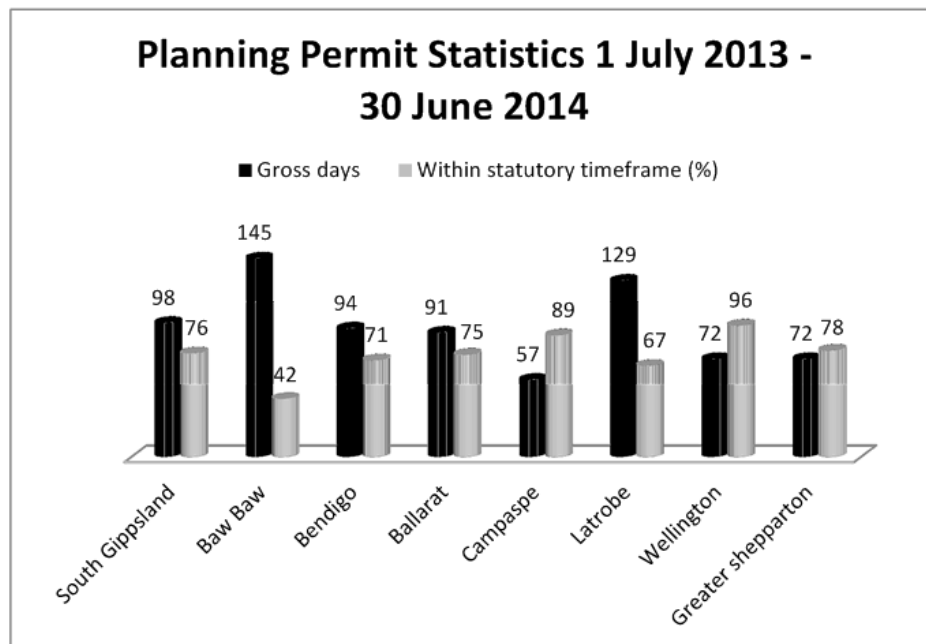
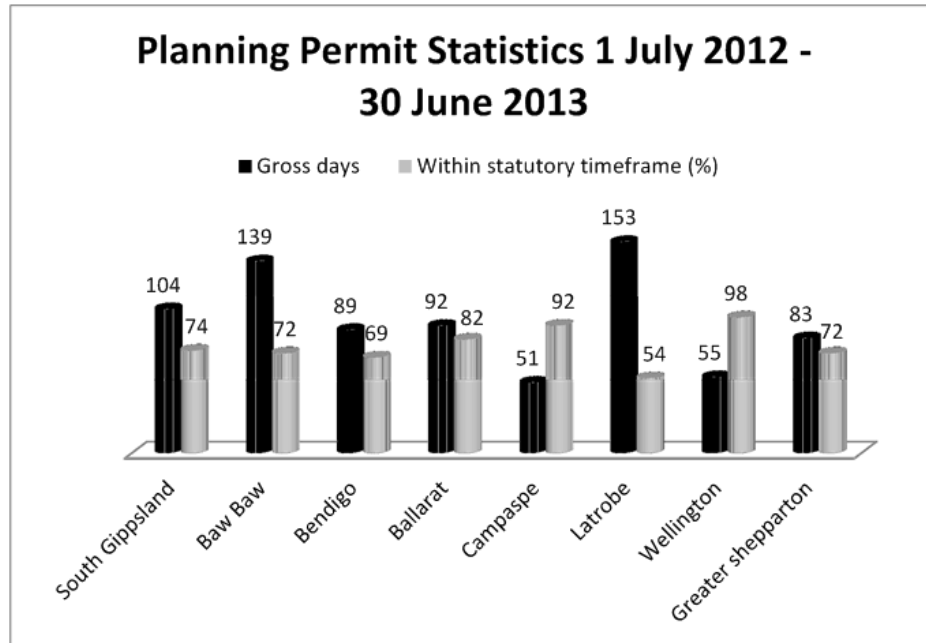
2015/213	Removal of Native Vegetation (20 remnant native trees from pine plantation within the farming zone	Healeys Road & Upper Middle Creek Road Yinnar South	2 Objectors	Approval	Approved	47 days
2015/256	2 Dwellings on a 2 Lot subdivision	4 Kenilworth Drive Traralgon	1 Objector	Approval	Approved	16 days
2015/268	Use of Land for a restricted recreational facility & signage within the mixed use zone	40-50 Queens Parade Traralgon	1 Objector	Approval	Approved	47 days
2016/17	Building & Works associated with non-illuminated major promotional signage	360 Princes Highway Traralgon East	1 Objector	Approval	Approved	54 Days
2016/24	Use of land for animal keeping (3 dogs) within the GRZ	4 Latrobe Crescent Traralgon	1 Objector	Approval	Approved	5 days
2016/45	Works associated with cut & fill of subject land in retrospect & stockpiling of clean fill	5523 Princes Highway Traralgon	1 Objector	Approval	Approved	10 days
2013/108 A	Amendment to Condition to allow 24/7 trading	5/149-163 Argyle Street Traralgon	1 Objector	Approval	Approved	39 days
2015/29	Two Lot subdivision	145 Williams Road Yinnar South	Refusal	Refusal	Refused	39 days
2015/23	2 Units & 2 Lot subdivision	5 McLean Street Morwell	Refusal	Refusal	Refused	117 days
2013/224 A	Extension of Red line area	17 Peterkin Street Traralgon	1 Objector	Approval	Approved	19 days
2015/112	Removal of 1 tree	46 Cross's Road Traralgon	Refusal	Refusal	Refused	45 days

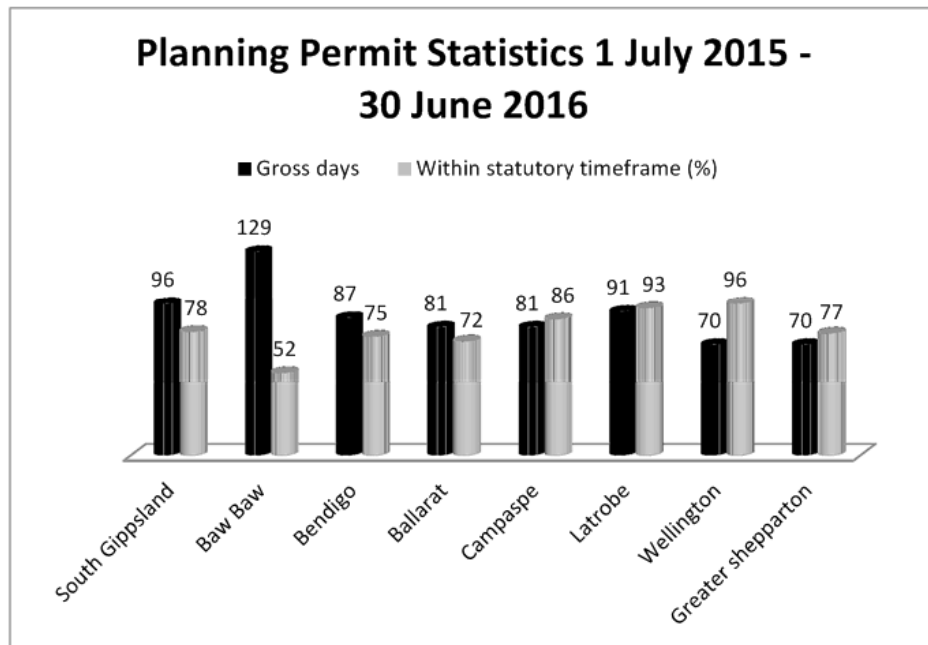
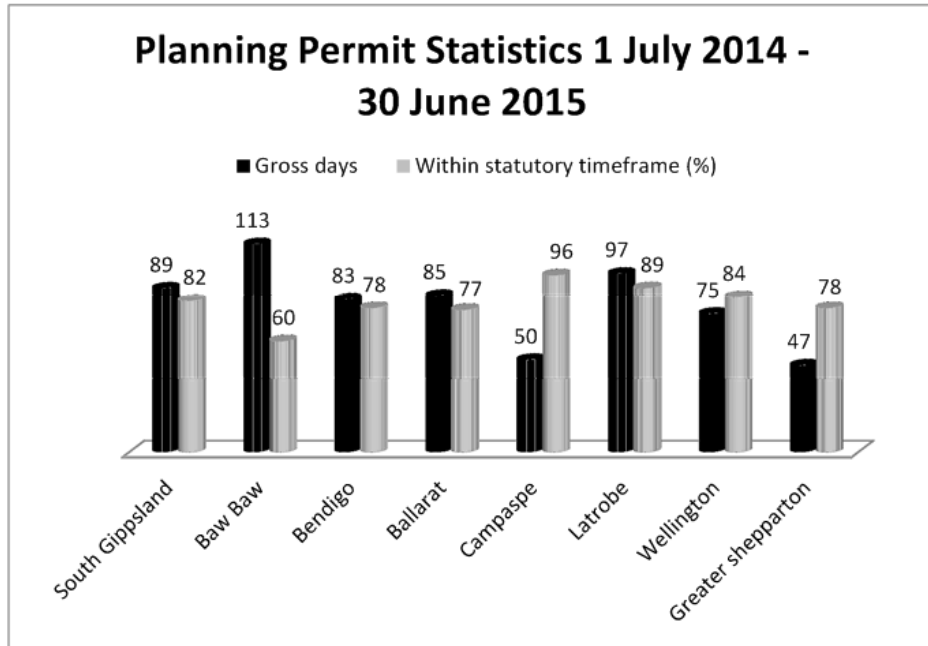


2015/181	Use & Development of land for a single dwelling and ancillary outbuildings	Nuttalls Road Yinnar	1 Objector DEDJTR	Approval	Approved	55 days
2015/241	Use & Development of car wash and display advertising signage in Commercial 1 zone	146-188 Franklin Street Traralgon	2 Objectors	Approval	Approved	45 days
2013/76A	2 Lot subdivision & Creation of common property and construction of a 2 <sup>nd</sup> dwelling	18 Chenhall Crescent Traralgon	1 Objector	Approved	Approved	42 days

### Planning permit statistics 2010-2011 to 2015-2016







**Percentage of planning permit applications  
decided within 60 statutory days in  
2015/16**

July 2015	93%
August 2015	89%
September 2015	96%
October 2015	92%
November 2015	89%
December 2015	96%
January 2016	100%
February 2016	97%
March 2016	88%
April 2016	95%
May 2016	94%
June 2016	100%

# INFRASTRUCTURE AND RECREATION

**15. INFRASTRUCTURE AND RECREATION**

Nil reports

# COMMUNITY SERVICES



16. COMMUNITY SERVICES

**16.1 ANNUAL REPORT 2015-16**

**General Manager**

**Community Services**

**For Information**

*The recommended decision is not a major policy decision, as defined in section 93A of the Local Government Act 1989 or a significant decision within the meaning of the Election Period Policy.*

**PURPOSE**

The purpose of this report is to present the Latrobe City Council Annual Report 2015-16 in accordance with Section 134 of the *Local Government Act 1989*

**EXECUTIVE SUMMARY**

The *Local Government Act 1989* requires Latrobe City Council to submit the Annual Report, including the audited financial, standard and performance statements, to the Minister for Local Government within three months of the end of the financial year. Accordingly a copy of Latrobe City Council's Annual Report 2015-16 has been submitted to the Minister and loaded to the Know Your Council Local Government Portal.

In accordance with the *Local Government Act 1989*, the *Local Government Amendment (Performance Reporting and Accountability) Act 2004*, the *Local Government (Planning and Reporting) Regulations 2014*, Council is required to consider the Annual Report at a meeting of Council within one month after providing the Annual Report to the Minister.

Council is also required to give fourteen days' notice of the meeting and make copies of the Annual Report available for public inspection.

In accordance with the above mentioned legislative requirements, an advertisement was published in the Latrobe Valley Express on Thursday, 15 September 2016, inviting the public to inspect Latrobe City Council's Annual Report and informing the public that the Annual Report would be presented at the Council Meeting on 3 October 2016. Hard copies of the Annual Report are also available at services centres and libraries for viewing and electronically via Council's website.

A copy of Latrobe City Council's Annual Report 2015-16, as presented to the Minister for Local Government, is attached.

**RECOMMENDATION**

**That Council receives and notes the Latrobe City Council Annual Report 2015-16 in accordance with Section 134 of the *Local Government Act 1989*.**

**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*

*To achieve the highest standards of financial probity and meet all statutory obligations.*

*To provide open, transparent and accountable governance.*

Strategic Direction –

*Regularly report Council decisions and performance to the community.*

*Increase community awareness and satisfaction with Council's services and facilities.*

*Continuously improve financial management and reporting.*

Legislation –

*Local Government Act 1989 – section 131, 132, 133, 134.*

*Government Amendment(Performance Reporting and Accountability) Act 2004*

*Local Government (Planning and Reporting) Regulations 2014*

In particular, Section 134 of the Local Government Act 1989, states that:

(1) *A Council must consider the annual report at a meeting of the Council.*

(2) *The meeting-*

(a) *must be held as soon as practicable but within the time required by the regulations, after the Council has sent the annual report to the Minister;*

(b) *must be advertised at least 14 days before the meeting is held in a public notice that states-*

(i) *that the annual report will be discussed at the meeting; and*

(ii) *the place from which copies of the annual report can be obtained*

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*before the meeting;*

*(c) must be kept open to the public while the annual report is discussed.*

**BACKGROUND**

Latrobe City Council's Annual Report provides details of Council's delivery of annual actions, service provision and performance indicators to meet all legislated and regulatory requirements.

The Annual Report also provides a financial snapshot supported by a comprehensive account of Council's financial performance including audited financial, standard and performance statements.

The Annual Report also includes the Local Government Performance Reporting Framework Key Performance Indicators, Governance and Management Checklist and Performance Statement in accordance with the *Local Government Amendment (Performance Reporting and Accountability) Act 2004* and the *Local Government (Planning and Reporting) Regulations 2014*.

As part of Council's commitment to support the continued strength of our local manufacturers, Councillors may wish to note that the Annual Report has been printed locally, entirely on locally produced Australian Paper paper stock.

Hard copies are available for inspection at all Latrobe City Council service centres and libraries and are available electronically from Council's website.

**KEY POINTS/ISSUES**

In accordance with the *Local Government Act 1989* and the *Local Government Amendment (Performance Reporting and Accountability) Act 2004*, the *Local Government (Planning and Reporting) Regulations 2014*, Council is required to consider the Annual Report at a meeting of Council within one month after providing the Annual Report to the Minister.

Council is also required to give fourteen days' notice of the meeting and make copies of the Annual Report available for public inspection.

The above legislative requirements have been achieved.

**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 as a result of Council's consideration of this report.

**INTERNAL/EXTERNAL CONSULTATION**

The Chief Executive Officer, Executive Team members and Managers of Latrobe City Council informed and reviewed the content of the Annual Report to ensure its accuracy.

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Council's Audit Committee reviewed the financial, standard and performance statements of Latrobe City Council's Annual Report 2015-16 and confirmed its content.

The Victorian Auditor General's Office has conducted a comprehensive audit of the financial, standard and performance statements.

**OPTIONS**

There is a statutory requirement for Council to consider the Annual Report within one month of forwarding the report to the Minister for Local Government.

**CONCLUSION**

Latrobe City Council's Annual Report 2015-16 has been prepared in accordance with the legislative requirements of the *Local Government Act 1989*, and is presented for Council's consideration.

The Victorian Auditor General's Office has conducted a comprehensive audit of the financial, standard and performance statements, and issued unqualified reports for all statements. Council's Audit Committee has reviewed and confirmed the financial, standard and performance statements of Latrobe City Council's Annual Report 2015-16.

Latrobe City Council's Annual Report 2015-16 was emailed to the Minister for Local Government and was also loaded to the Know Your Council Local Government Portal well prior to the prescribed 30 September 2016 deadline.

**Attachments**

1. Latrobe City Council Annual Report 2015-16 (Published separately)

# CORPORATE SERVICES

**ORDINARY COUNCIL MEETING AGENDA  
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**17. CORPORATE SERVICES**

**17.1 ASSEMBLIES OF COUNCILLORS**

**General Manager**

**Corporate Services**

**For Information**

*The recommended decision is not a major policy decision, as defined in section 93A of the Local Government Act 1989 or a significant decision within the meaning of the Election Period Policy.*

**PURPOSE**

Assembly of Councillors records submitted since the Ordinary Council Meeting held on 03 October 2016 are presented to Council for noting.

**EXECUTIVE SUMMARY**

The following Assemblies of Councillors took place:

<b>Date</b>	<b>Assembly Details</b>	<b>In Attendance</b>	<b>Confidential</b>	<b>Conflicts of Interest Declared</b>
03 March 2016	Australia Day Advisory Committee	<b>Councillors:</b> Cr White <b>Officers:</b> Jason Membrey, Wendy Hrynyszyn	No	Nil
19 July 2016	Latrobe City International Relations Committee	<b>Councillors:</b> Cr Gibbons. Cr White <b>Officers:</b> Jie Liu, Josh Graham	No	Nil
17 August 2016	Victory Park Precinct Advisory Committee	<b>Councillors:</b> Cr Kam <b>Officers:</b> Simon Clark	No	Nil
01 September 2016	Morwell & Districts Community Recovery Committee	<b>Councillors:</b> Cr Middlemiss <b>Officers:</b> Andrea Smith, Linda Bulner, Christine Body	No	Nil

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Date	Assembly Details	In Attendance	Confidential	Conflicts of Interest Declared
05 September 2016	Public Presentations	<p><b>Councillors:</b> Cr Gibbons, Cr White, Cr Rossiter, Cr Gibson</p> <p><b>Officers:</b> Gary Van Driel, Sarah Cumming, Ronda Bruerton, Susan Gillett, Steven Piasente, Amy Phillips, Kylie Stockdale</p> <p><i>This meeting does not meet the requirements for an Assembly of Councillor Record due to the number of Councillors in attendance, however has been completed for transparency.</i></p>	No	Nil
05 September 2016	Councillor Briefing	<p><b>Councillors:</b> Cr Gibbons, Cr O'Callaghan, Cr White, Cr Rossiter, Cr Gibson</p> <p><b>Officers:</b> Gary Van Driel, Sarah Cumming, Ronda Bruerton, Steven Piasente, Susan Gillett, Amy Phillips, Heather Farley, Jamey Mullen, Sara Rhodes-Ward</p>	<p>Confidential under section 89(2)</p> <p>(d) contractual matters</p> <p>(e) proposed developments</p> <p>(h) involves discussion of a matter which the Council or special committee considers would prejudice the Council or any person.</p>	Cr Gibbons x 2
13 September 2016	Traralgon Central Business District Safety Committee	<p><b>Councillors:</b> Cr Kam</p> <p><b>Officers:</b> Liam Bantock</p>	No	Nil

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<b>Date</b>	<b>Assembly Details</b>	<b>In Attendance</b>	<b>Confidential</b>	<b>Conflicts of Interest Declared</b>
15 September 2016	Latrobe Tourism Advisory Board	<b>Councillors:</b> Cr Sindt, Cr White <b>Officers:</b> Linda Brock, Michael Bloyce	No	Nil

**RECOMMENDATION**

**That Council receives and notes the Assemblies of Councillors records submitted which have been held within the period 03 March to 15 September 2016.**

**DECLARATION OF INTEREST**

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

**Attachments**

1. Australia Day Advisory Committee
2. Latrobe City International Relations Committee
3. Victory Park Precinct Advisory Committee
4. Morwell & Districts Community Recovery Committee
5. Public Presentations
6. Councillor Briefing
7. Traralgon Central Business District Safety Committee
8. Latrobe Tourism Advisory Board



# **17.1**

## **Assemblies of Councillors**

<b>1</b>	<b>Australia Day Advisory Committee .....</b>	<b>111</b>
<b>2</b>	<b>Latrobe City International Relations Committee.....</b>	<b>113</b>
<b>3</b>	<b>Victory Park Precinct Advisory Committee .....</b>	<b>115</b>
<b>4</b>	<b>Morwell &amp; Districts Community Recovery Committee .....</b>	<b>117</b>
<b>5</b>	<b>Public Presentations .....</b>	<b>119</b>
<b>6</b>	<b>Councillor Briefing .....</b>	<b>121</b>
<b>7</b>	<b>Traralgon Central Business District Safety Committee .....</b>	<b>123</b>
<b>8</b>	<b>Latrobe Tourism Advisory Board.....</b>	<b>125</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>	Australia Day Advisory Committee
<b>Date:</b>	3 March 2016
<b>Time:</b>	5.00 pm to 6.35 pm
<b>Assembly Location:</b>	Meeting Room 4, Council Headquarters, Morwell

### IN ATTENDANCE

<b>Councillors:</b>	<input type="checkbox"/> Cr Christine Sindt	<input type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input 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>	Jason Membrey Wendy Hrynyszyn		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	Matters arising from previous meeting <ul style="list-style-type: none"> <li>• Australia Day Award Certificates</li> <li>• Young Citizen of the Year check</li> <li>• Terms of Reference Document update</li> <li>• Past winners Images</li> </ul> Items Considered – Agenda items <ul style="list-style-type: none"> <li>• Letter from Patty Carrol re Moe Breakfast</li> <li>• Review of 2016 Australia Day activities and program</li> <li>• Australia Day Advisory Committee – Terms of Reference approval</li> <li>• 2017 Australia Day Nomination forms</li> <li>• 2017 proposed Australia Day Program</li> <li>• 2017 Breakfast budgets</li> <li>• LV Express Advertising</li> <li>• Local township awards</li> <li>• Current grants</li> <li>• Next meeting 20 October 2015 5pm – Meeting Room 4 Council Headquarters</li> </ul>		
<b>Confidential/ Not confidential</b>	<i>Are the matters considered confidential under the Local Government Act?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

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

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



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

**Completed by:** Wendy Hrynyszyn, Senior Events Officer Latrobe City Council  
8/3/2016

**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):**



## 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>	Latrobe City International Relations Committee Meeting
<b>Date:</b>	<b>Tuesday 19 July</b>
<b>Time:</b>	<b>4.00-5.45 pm</b>
<b>Assembly Location:</b>	Nambur Wariga Room, Latrobe City HQ, Commercial Road Morwell

### 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 checked="" type="checkbox"/> Cr Darrell White	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	<b>Jie Liu, International Relations Officer</b> <b>Josh Graham, Acting Events and International Relations</b>		
<b>Matter/s and main topic/s discussed:</b> <i>Provide dot points only, not the minutes of the meeting</i>	<b>Schedule Latrobe City International Relations Committee Meeting.</b> <b>Agenda items include:</b> <ul style="list-style-type: none"> <li>• <b>2016 Sports Exchange Program</b></li> <li>• <b>Takasago Education Exchange Program</b></li> <li>• <b>Students Delegation from Taizhou</b></li> <li>• <b>Proposed visit from Namgu Busan South Korea</b></li> <li>•</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: (Jie Liu, International Relations Officer, 20 July 2016)



### Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

<b>Assembly details:</b>	Victory Park Precinct Advisory Committee
<b>Date:</b>	17 August 2016
<b>Time:</b>	5:17pm
<b>Assembly Location:</b>	Traralgon Service Centre - Meeting Room 1

#### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</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 type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Simon Clark		
<b>Matters discussed:</b>	<p>Discussion regarding proposed new operating document for the Committee as part of Council's Community Committee's review.</p> <p>Committee informed of the decision not to proceed with the presentation of the Gippsland Model Engineering Societies Five Year Development Program to Council.</p> <p>Cr Sandy Kam presented the "Broadening Horizons" program with the Traralgon Secondary College and VicRoads. The proposed project is the installation of additional seating in the Traralgon Central Business District.</p> <p>Cr Sandy Kam presented a proposal for a "Performances in the Park" summer series to be conducted in Victory Park.</p>		



**Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?**

**Yes**                       **No**

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

**Conflict Of Interest Disclosures:**

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Simon Clark



## Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

<b>Assembly details:</b>	Morwell & Districts Community Recovery Committee
<b>Date:</b>	1 September 2016
<b>Time:</b>	4.35 pm – 5.55 pm
<b>Assembly Location:</b>	Nambur Wariga Meeting Room

### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</b>	<input type="checkbox"/> Cr Christine Sindt	<input checked="" type="checkbox"/> Cr Graeme Middlemiss	<input type="checkbox"/> Cr Peter Gibbons
	<input type="checkbox"/> Cr Dale Harriman	<input type="checkbox"/> Cr Kellie O'Callaghan	<input 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>	Andrea Smith, Community Resilience Officer Linda Bulner, Community Resilience Officer Christine Body, Community Resilience Administration Officer		
<b>Matters discussed:</b>	<ol style="list-style-type: none"> <li>1. Future Directions, Priorities and Goals</li> <li>2. CRC Communication Plan</li> <li>3. Ash in Morwell Roof Cavities</li> <li>4. Health Study Review</li> <li>5. Activities currently underway in response to the Mine Fire Inquiry recommendations</li> <li>6. Victorian Premier's Volunteer Champions Awards</li> <li>7. Future Morwell Project</li> <li>8. Health Study</li> <li>9. Coal Mine Fire Task Force</li> <li>10. Health Zone Task Force</li> <li>11. Future Guest Speakers</li> <li>12. Community Resilience Program Update</li> <li>13. Latrobe 16 - Emergency drill event involving all agencies and departments</li> </ol>		



	14. Future Publicity 15. Hazelwood Mine Fire Management
<p><b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b></p> <p><input type="checkbox"/> Yes                      <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>	

**Conflict Of Interest Disclosures:**

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Christine Body, Administrative Officer Community Resilience on 14 September 2016.





## Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

<b>Assembly details:</b>	Public Presentations
<b>Date:</b>	05 September 2016
<b>Time:</b>	5.00 pm - 5:45 pm
<b>Assembly Location:</b>	Nambur Wariga, Corporate Headquarters, Morwell

### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</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 checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input checked="" type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Gary Van Driel, Sarah Cumming, Ronda Bruerton, Susan Gillett, Steven Piasente, Amy Phillips, Kylie Stockdale		
<b>Matters discussed:</b>	Proposal to construct Multi-faith Shrine at Immigration Park Sustainable Economic Opportunities in the Latrobe Valley		
<p><b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b></p> <p><input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Amy Phillips, Coordinator Governance



## Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

<b>Assembly details:</b>	Councillor Briefing
<b>Date:</b>	05 September 2016
<b>Time:</b>	6.06 pm - 10:03pm
<b>Assembly Location:</b>	Nambur Wariga, Corporate Headquarters, Morwell

### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</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 checked="" type="checkbox"/> Cr Kellie O'Callaghan from 6:59 pm - 9:13 pm	<input type="checkbox"/> Cr Sandy Kam via phone from 7:12 pm
	<input checked="" type="checkbox"/> Cr Darrell White	<input checked="" type="checkbox"/> Cr Michael Rossiter	<input checked="" type="checkbox"/> Cr Sharon Gibson until 9:28 pm
<b>Officer/s:</b>	Gary Van Driel, Sarah Cumming, Ronda Bruerton, Steven Piasente, Susan Gillett, Amy Phillips, Heather Farley (6:06 pm-6:45 pm), Jamey Mullen (6:45 pm - 7:06 pm), Sara Rhodes-Ward (from 7:00 pm)		
<b>Matters discussed:</b>	<p>Tonight's Presentations</p> <p>Future Presentations</p> <p>Review of Council Meeting Agenda</p> <ul style="list-style-type: none"> <li>- Notice of Motion Requests</li> <li>- Points of Clarification</li> <li>- Alternative Motion Requests</li> </ul> <p>Latrobe City Diversification Positioning Paper</p> <p>Community Recovery Committee Doorknock Report - Morwell North</p> <p>Morwell and Districts Community Recovery Committee - Morwell North</p> <p>Neighbourhood Resilience Plan</p> <p>Future Morwell Urban Revitalisation Plan - Confidential under Section 89(2) (d) of the Local Government Act 1989, as it involves discussion of contractual matters and under Section 89(2) (e) as it also involves discussion of proposed developments.</p> <p>Submission into Sustainability And Operational Challenges of Regional Councils</p>		



	<p>Quarterly Performance Report</p> <p>Outstanding Issues - confidential under Section 89(2) (h) of the Local Government Act 1989, as it involves discussion of a matter which the Council or special committee considers would prejudice the Council or any person.</p> <p>Strategic Issues for Future Briefings - confidential under Section 89(2) (h) of the Local Government Act 1989, as it involves discussion of a matter which the Council or special committee considers would prejudice the Council or any person.</p>
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**Are any of the matters discussed, considered confidential under the *Local Government Act 1989*?**

**Yes**                       **No**

Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.

**Conflict Of Interest Disclosures:**

<b>Councillor / Officer making disclosure</b>	<b>Left Meeting: Yes / No</b>
Cr Gibbons x 2	Yes

**Record Completed by:** Amy Phillips, Coordinator Governance





## Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

<b>Assembly details:</b>	Traralgon Central Business District Safety Committee
<b>Date:</b>	13 September 2016
<b>Time:</b>	11.00 am - 11.30 am
<b>Assembly Location:</b>	Grand Junction Hotel, Cnr Franklin and Princes St, Traralgon

### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</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 type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Liam Bantock		
<b>Matters discussed:</b>	Skateboarding in Traralgon Multi Level Car Park CCTV Signage Traffic signals at corner of Post Office Place and Franklin Street Agency Updates		
<b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.			

### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No



**Record Completed by:** Liam Bantock



## Assembly of Councillors Record

This form must be completed by the attending Council officer and returned to the Governance Team for processing as soon as possible.

<b>Assembly details:</b>	Latrobe Tourism Advisory Board
<b>Date:</b>	15 September 2016
<b>Time:</b>	4.30pm
<b>Assembly Location:</b>	Nambur Wariga meeting room, Latrobe City Council, Morwell

### In Attendance

<b>Councillors:</b>  <b>Arrival / Departure Time:</b>	<input checked="" type="checkbox"/> Cr Christine Sindt 4.40pm-6.15pm	<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 4.25pm-6.30pm	<input type="checkbox"/> Cr Michael Rossiter	<input type="checkbox"/> Cr Sharon Gibson
<b>Officer/s:</b>	Linda Brock, Michael Bloyce		
<b>Matters discussed:</b>	Board membership, Futures Morwell, Industrial Tourism, Gippsland Tourism Conference		
<p><b>Are any of the matters discussed, considered confidential under the <i>Local Government Act 1989</i>?</b></p> <p><input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p>Please list the confidentiality reasoning next to the matter discussed, as per the example in the guidance notes.</p>			

### Conflict Of Interest Disclosures:

Councillor / Officer making disclosure	Left Meeting: Yes / No

**Record Completed by:** Linda Brock, Tourism Coordinator

# URGENT BUSINESS

**18. URGENT BUSINESS**

*Business may be admitted to the meeting as urgent business in accordance with clause 26 of the Meeting Procedure Local Law by resolution of the Council, if it relates to a matter which has arisen since distribution of the agenda and:*

- 1. cannot safely or conveniently be deferred until the next Ordinary meeting; or*
- 2. involves a matter of urgent community concern.*



# 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.

**RECOMMENDATION**

**That the Ordinary Meeting of Council closes this meeting to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the *Local Government Act 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 contractual matters (s89 2d), legal advice (s89 2f) and a matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)**

**19.2 PIGGERY ROAD BOOLARRA PROJECT COMPLETION REPORT**

**Agenda item 19.2 *Piggery Road Boolarra Project Completion Report* is designated as confidential as it relates to contractual matters (s89 2d)**

**19.3 PRESENTATION OF THE AUDIT AND RISK COMMITTEE MINUTES**

**Agenda item 19.3 *Presentation of the Audit and Risk Committee 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)**

**19.4 BAD DEBTS REPORT - AUGUST 2016**

**Agenda item 19.4 *Bad Debts Report - August 2016* is designated as confidential as it relates to personal hardship of any resident or ratepayer (s89 2b)**