



# LATROBE CITY COUNCIL

**AGENDA FOR THE  
COUNCIL MEETING**

**TO BE HELD VIA AUDIO-VISUAL LINK  
AT 6.00PM ON  
05 SEPTEMBER 2022  
CM582**

***Please note:***

*Opinions expressed or statements made by participants are the opinions or statements of those individuals and do not imply any form of endorsement by Council.*

*By attending a Council Meeting via audio-visual link those present will be recorded or their image captured. When participating in the meeting, consent is automatically given for those participating to be recorded and have images captured.*

## TABLE OF CONTENTS

<b>1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND .....</b>	<b>4</b>
<b>2. THE PRAYER .....</b>	<b>4</b>
<b>3. APOLOGIES AND LEAVE OF ABSENCE.....</b>	<b>4</b>
<b>4. ADOPTION OF MINUTES .....</b>	<b>4</b>
<b>5. PUBLIC PARTICIPATION TIME .....</b>	<b>5</b>
<b>6. DECLARATION OF INTERESTS .....</b>	<b>5</b>
<b>7. STRATEGIC ITEMS FOR DECISION.....</b>	<b>7</b>
7.1 Exploration of Options for Single Use Water Bottles.....	7
7.2 Latrobe City Council Submission to the Draft Declared Mine Regulations 2022.....	18
7.3 Amendment C131 (Flood Mapping Update) - Consideration of Submissions - Holding Report .....	30
<b>8. STATUTORY PLANNING .....</b>	<b>36</b>
<b>9. CORPORATE ITEMS FOR DECISION .....</b>	<b>38</b>
9.1 Proposed sale of Hazelwood House, 59-91 Philip Parade, Churchill.....	38
9.2 Proposed Sale and Potential Purchase of Land - Mountain Glen Drive, Moe .....	103
9.3 CEO Delegation to Award Construction Contracts for The Kernot Hall Upgrade and Moe Revitalisation Stage 2 Projects.....	113
9.4 Latrobe Health Assembly Funding Proposal.....	118
9.5 Sporting Hall of Fame Selection Panel Appointments .....	123
9.6 Tourism and Major Events Advisory Committee Recommendations August 2022 .....	139
9.7 Authorisation of a Council Officer under the Planning & Environment Act 1987 .....	144

9.8 Update to Council's Half Cost Fencing Policy.....	151
<b>10. URGENT BUSINESS.....</b>	<b>171</b>
<b>11. REPORTS FOR NOTING .....</b>	<b>173</b>
11.1 Freeway Overhead Signage .....	173
<b>12. QUESTIONS ON NOTICE .....</b>	<b>177</b>
<b>13. NOTICES OF MOTION.....</b>	<b>179</b>
13.1 2022/07 Newborough Men's Shed.....	179
13.2 2022/08 Reduction of Littering in Latrobe City .....	180
13.3 2022/09 Officers response to dog attacks in Latrobe City .....	181
13.4 2022/10 Availability of rental properties in the municipality .....	182
13.5 2022/11 Volunteerism in Latrobe City .....	183
<b>14. ITEMS FOR TABLING.....</b>	<b>185</b>
14.1 Petition for Additional Car Parking at Morwell Park Primary School .....	185
<b>15. ACKNOWLEDGEMENTS.....</b>	<b>187</b>
<b>16. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION.....</b>	<b>189</b>
16.1 Latrobe Valley Racing Club and the Glenview Park Master Plan .....	189
16.2 Moe Racing Club .....	189
16.3 Social Media Strategy Actions .....	189
16.4 Riverslea Boulevard, Traralgon - Flash Flood Response .....	190
16.5 Lake Narracan Caravan Park .....	190
16.6 LCC-759 Toners Lane Reserve Archery Pavilion .....	190
16.7 LCC-760 Provision of Urban Block Pruning.....	190

## **COUNCILLOR AND PUBLIC ATTENDANCE**

### **PLEASE NOTE**

TO ENSURE LOCAL GOVERNMENT DECISION-MAKING CAN CONTINUE DURING THE CORONAVIRUS PANDEMIC, MECHANISMS FOR VIRTUAL COUNCIL MEETINGS HAVE BEEN INTRODUCED INTO THE LOCAL GOVERNMENT ACT 2020.

PURSUANT TO SECTION 394 OF THE LOCAL GOVERNMENT ACT 2020, A COUNCILLOR MAY ATTEND THIS COUNCIL MEETING REMOTELY BY ELECTRONIC MEANS OF COMMUNICATION; AND

PURSUANT TO SECTION 395 OF THE LOCAL GOVERNMENT ACT 2020 THIS COUNCIL MEETING MAY BE CLOSED TO IN PERSON ATTENDANCE BY MEMBERS OF THE PUBLIC PROVIDED THE MEETING IS AVAILABLE THROUGH LIVE STREAM ON COUNCIL'S INTERNET SITE.

### **1. ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND**

*I would like to acknowledge that we are meeting here today on the traditional land of the Braiakaulung people of the Gunaikurnai nation and I pay respect to their elders past and present.*

*If there are other Elders present I would also like to acknowledge them.*

### **2. THE PRAYER**

*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.*

### **3. APOLOGIES AND LEAVE OF ABSENCE**

### **4. ADOPTION OF MINUTES**

#### **Proposed Resolution:**

**That Council confirm the minutes of the Council Meeting held on 1 August 2022.**

## **5. PUBLIC PARTICIPATION TIME**

### **Attend as an observer**

The safety of Councillors, Council staff and our community is at the forefront of our decisions therefore this Meeting will be closed to physical participation by members of the public. To meet our legislated obligations and in the spirit of open, accessible and transparent governance, this Council Meeting is livestreamed and can be viewed by using the link on Council's website or Facebook page.

### **Public Questions on Notice**

In accordance with the Council Meeting Policy, members of the public can lodge a question on notice before 12noon on the Friday before the day of the Council meeting in order for the question to be answered at the meeting.

### **Public Speakers**

An opportunity for members of the public to speak to an item on the agenda will be made available by necessary means. To participate, members of the public must have registered before 12noon on the day of the Council meeting.

## **6. DECLARATION OF INTERESTS**

# **STRATEGIC ITEMS FOR DECISION**

## 7. STRATEGIC ITEMS FOR DECISION

Item Number 7.1

05 September 2022

Community Health & Wellbeing

# EXPLORATION OF OPTIONS FOR SINGLE USE WATER BOTTLES

## PURPOSE

To provide Councillors the results of the trial removal of single use water bottles at the Gippsland Regional Indoor Sports Stadium (GRISS) and seek approval to retain their use at Council's Corporate Buildings, Libraries, Leisure Centres and Council Events subject to further community education regarding recycling and a phased removal in the future.

## EXECUTIVE SUMMARY

- At the Ordinary Council Meeting on 3 September 2018, Council resolved to undertake a 12-month trial to remove the sale of single use plastic water bottles from the Gippsland Regional Indoor Sports Stadium (GRISS), whilst providing water refill stations and refillable bottles for purchase.
- The trial found that the sentiment among user groups and patrons indicated a preference to see the removal of sugar sweetened drinks in place of water being made available for sale.
- Latrobe Leisure is committed to the implementation of the Victorian Government's Healthy Choices Guidelines across all kiosks, the trial has resulted in an increase in the sale of sports drinks and soft drinks, consequently resulting in non-compliance with the guidelines.
- From 1 February 2023, new environmental regulations in Victoria will ban some single use plastic items from use. This will include Council facilities.
- In the 2022/23 financial year, Councils Sustainability and Environment team will implement internal and external recycling bins at Council facilities, prioritising leisure facilities, these plans include educational material and signage.
- From 2023, the Container Deposit Scheme (CDS) will provide refund for every eligible can, carton and bottle returned. The roll out of the CDS facilities is expected to reduce litter and increase recycling – including the capture of single-use plastic bottles.
- Directions for the removal of single use plastics, including reduction in single use water bottles and other single use drink containers will be included within the preparation of a Sustainability and Environment Action Plan aligned to the principles set out in the 2021-25 Council Plan.

## OFFICER'S RECOMMENDATION

### **That Council:**

- 1. Retain the sale of single use water bottles at all Latrobe City Council venues and events;**
- 2. Increase the availability of infrastructure to support improved recycling across the community;**
- 3. Assist community understanding and utilisation of the State Government container deposit scheme (CDS) from 2023;**
- 4. Reduce and remove the availability of single use plastics in accordance with the proposed Victorian Government ban from 1 February 2023; and**
- 5. Include actions to investigate the phased removal of single use water bottles as part of the preparation of a Sustainability and Environmental Action Plan.**
- 6. Develop and execute a targeted education and engagement plan, relating to the removal of single use plastics and single use water bottles from Council facilities and events.**



## BACKGROUND

At the ordinary Council meeting held 3 September 2018 Council requested a report to review the environmental and economic impact of removing single use plastic water bottles within Council's Corporate Buildings, Libraries, Leisure Centres and Council Events.

In response, a Briefing Report was provided at the 30 September 2019 Councillor Briefing, which outlined that in the 2018/2019 financial year Latrobe City Leisure Facilities sold more than 8,900 single use plastic bottles of water, providing a net annual profit of \$35,000.

A subsequent Briefing Report was provided at the 31 August 2020 Councillor Briefing which outlined a range of proposed actions for Councillors consideration. These included a 12-month trial at the Gippsland Regional Indoor Sports Stadium (GRISS) where single use water bottles would not be available for sale, whilst making available communal water drinking fountains and purchasable refill water bottles.

Due to the impacts of COVID the above trial was initially deferred, as the number of community members accessing the facility was likely to reduce during the trial period and may therefore not represent the true impact of the removal of single use water bottles. The facility has only since operated at full capacity from November 2021.

The Victorian Government has released for consultation a regulatory impact statement and proposed regulations to ban single use plastic items in Victoria from 1 February 2023. While not directly related to single use water bottles the opportunity to remove other single use items from Council owned and operated facilities will likely be mandated from 2023.

Latrobe City Council sells and distributes single use drink bottles at several venues and events, a total of 28,100 single use plastic bottles are sold or distributed through these channels.

Water fountains are also provided at all Latrobe City Service Centres/Libraries and Leisure Facilities, in addition chilled water fountains are available at Latrobe City Councils headquarters for the use of staff and visitors.

Information regarding how recycling infrastructure is being extended across leisure and recreation facilities along with an overview of the State Governments commencement of a Container Deposit Scheme (CDS) from 2023/24 is also provided to assist reducing the contamination of environment from single use water bottles.

## ANALYSIS

The *2022-25 Living Well Latrobe, Municipal Public Health & Well Being Plan (MPHWP)* is Council's commitment to ensure the Latrobe City community is as healthy and safe place as possible for everyone. In relation to public health, it is widely agreed that sugary drinks should be avoided. There are a range of healthier beverages that can be consumed in their place, with water being the best option.

To support the Municipal Public Health and Well Being Plan 2022-25 and the community in healthy and active lifestyle choices as a sporting and recreation facility, it is important to promote healthy lifestyles, healthy eating and water as the drink of choice. Resultantly, Latrobe Leisure have been working to implement the Victorian Government's [Healthy Choices guidelines](#) in all kiosks.

The Australian Dietary guidelines recommends ‘drinking plenty of water’ for all ages.

Water is classified as GREEN ‘best choice’ according to the Healthy Choices guidelines. Conversely, sugary drinks such as soft drinks, sport drinks, vitamin waters and fruit drinks are classified as RED ‘limit’. In Latrobe, 13.9% adults consume sugary drinks daily.

A Healthy Choices guidelines assessment of the drinks fridge was completed before and after the removal of bottled water at GRISS. The assessment showed a sharp decrease in the proportion of GREEN drinks available, from 73% to 20% (↓53%). There was also an increase in the proportion of sugary RED drinks available, from 9% to 40% (↑31%). These changes resulted in the drinks fridge no longer being compliant with the Healthy Choices guidelines. See table below for further details.

	<b>Drinks fridge at GRISS</b>			
<b>Date</b>	GREEN	AMBER	RED	Compliant? (Yes/No)
Healthy Choices guidelines	>50%	*	<20%	
2020 (Pre-trial)	73%	18%	9%	Yes
2021 (Post-trial)	20%	40%	40%	No
Percentage changes	↓53%	↑22%	↑31%	

\*No specific recommendation for AMBER

**Results of the Single-Use Plastic Bottled Water Removal at GRISS**

GRISS was opened to the community in March 2020, Latrobe Leisure received funding from Latrobe Community Health Services (LCHS) to purchase environmentally friendly stainless steel refillable drink bottles and promote utilisation of the 4 water fountains at the facility. To date these fountains have provided 39,306 litres of water, which equates to 65,510 single use water bottles.

During the trial the facility has received complaints from patrons regularly, stating they would rather see the removal of single use sugary drinks and retain the sale of water. Refillable drink bottles were available for sale with only 21 being sold. Some of the feedback received stated these refillable drink bottles were too expensive, and on 26 occasions the customer instead purchased a Powerade, emptied the contents and replaced it with water from a fountain.

The table below demonstrates that community were opting to purchase sugary drinks over refillable drink bottles when water was not available for purchase.

<b>Community Requests During Trial</b>					
Asked for Water	Purchased Sports Drink	Purchased soft drink	Asked for cup	Purchased Drink Bottle	Purchased nothing
2076	996	715	49	21	295

The below table shows since the removal of water for sale, sports drink sales increased from 2018/19 to 2021/22 by 79% and soft drink sales by 47%

Drink Sales								
Type of Drink	2018/19 per unit	%of units sold	2019/20 per unit (closed March-June)	%of units sold	2020/21 per unit (closed July-Nov)	%of units sold	2021/22 Per unit (up to 30 April)	%of units sold
Water	2707	43%	2163	48%				
Sports Drink	1796	28%	1591	33%	1434	73%	3179	54%
Soft Drink	1869	29%	865	19%	533	27%	2741	46%
Total	6372		4619		1967		5920	

### Council Events

For the purpose of this report, a Council event is defined as those events managed by Latrobe City Council, including those events hosted at Latrobe City Council venues. Leisure Centres and Recreation Reserves, for example the International Rose Garden Festival, AFL matches, and the Sisters Cities Festival. Community events sponsored by Council are considered outside of the scope of this report.

Access to water is vital at events and is especially important at sporting events during warm weather. While alternative options can be considered such as drinking fountains and re-fill stations, this infrastructure is in short supply to hire and comes at a cost.

Consideration to purchasing such infrastructure through surplus budget bids or via grant opportunities could be considered, however its storage and transportation could be problematic.

When hosting events at Council venues, often there are specific requirements that must be adhered to. For example, the upcoming Australian Netball Championships being hosted at GRISS in August requires Council to supply bottled water to the players. Specifically, the agreement states: *'bottled water must be provided in a portable refrigeration container adjacent to/behind the score bench'*.

Should a ban on single use water bottles proceed, exemptions may need to be considered when hosting such major events.

## RISK ASSESSMENT

RISK	LIKELIHOOD*	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)	N/A	N/A
SERVICE DELIVERY If Council were to eliminate the sale of water in single use plastic bottles only, it may result in increased sales of other (sugar based) drinks in single use plastic bottles. This would be a poor outcome because water is a healthier alternative to these products.	3	Educate consumers about the impact of single use plastics and the health benefits of hydrating with tap water rather than drinks containing sugar.
SERVICE DELIVERY Added costs to council in the provision of drinking fountains at Council facilities and events.	4	Most Council facilities already provide access to drinking water for the public.  Partner with Gippsland Water who are prepared to sponsor new water fountains and bottle refill stations
SERVICE DELIVERY Consumers may also express significant dissatisfaction at the reduction of choice.	4	Educate consumers about the impact of single use plastics and the need to recycle.  Encourage the use and consumption of tap water through the sale and distribution of refillable bottles at Council facilities and events.
FINANCIAL Loss of income and impacting expenditure for LCC facilities and services	4	Introduce reusable bottles for sale at a cost similar to drinks in single use plastic bottles

RISK	LIKELIHOOD*	TREATMENT
<b>STRATEGIC (INC REPUTATIONAL)</b> Result of trial shows that more people purchase sugary drinks.	3	Customer frustration of not being able to purchase water resulting in negative health outcomes by those who purchase sugary drink alternative.

\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)

#### CONSULTATION

This report focusses on the impact and options in relation to the removal or reduction of sales and distribution of drinks in single use plastic bottles. Should Councillors wish to introduce initiatives to remove single use plastic water bottles from all venues, significant engagement with stakeholders, partners and the community would be required to support community understanding and acceptance of this change.

#### COMMUNICATION

Any initiatives to be implemented as result of this report would require a comprehensive communications strategy.

#### DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

Removing the convenience of bottled water within the community will result in an increase in the purchase of other drinks such as soft drinks, juice or energy drinks especially for children.

Consumers may also express significant dissatisfaction at the reduction of choice. It is considered that the inclusion of appropriate recycling infrastructure and introduction of the CDS will minimise the extent of single use water bottles ending up as litter in the environment.

Should Councillors prefer to remove the availability of single use plastic water bottles within Council's Corporate Buildings, Libraries, Leisure Centres and Council Events members of the community may view Council's leadership on this issue positively.

Whilst sending a strong message, the removal of drinks in single use plastic containers from sale or distribution through Council facilities and events would however have little appreciable impact on the overall the negative environmental outcome caused by these products

### **Cultural**

Nil

### **Health**

In terms of beverages that are beneficial to health, sugary drinks are not considered at all due to the excessive calories and virtually no other nutritional benefits. Drinking large amounts of sugar can lead to serious health problems and is strongly associated with weight gain and obesity.

Alternatively water is an essential part of a healthy lifestyle because of the body reliance on water to function properly. People who don't drink enough water can face even minor dehydration which can have adverse acute and chronic health effects.

A key objective of the Living Well Latrobe plan is decreasing the consumption of sugar sweetened soft drink within Latrobe City. Currently 13.9% of adults in Latrobe consume these drinks, whilst obesity is higher among Latrobe than other rural areas.

People in Latrobe participate in organised sport at higher rates than in Metropolitan Melbourne. When it comes to the community's health, sugary drinks should be avoided. There is a range of healthier beverages that can be consumed in their place, with water being the best option.

### **Environmental**

Australians buy more than 118,000 tonnes of plastic drink bottles a year. Single use water bottles have historically accounted for 38% of total Australian litter volume, with approximately 30% of single use water bottles being recycled.

The introduction of a container deposit scheme has been proven to reduce the number of single use plastic containers going into landfills or littering the landscape. The introduction of the CDS in Victoria is however expected to increase the amount of water containers recovered.

Ultimately, addressing the plastic pollution problem will be through a range of approaches. These will include bottom-up grassroots governance, state and federal legislation.

### Introduction of Container Deposit Scheme (CDS)

Until recently, Victoria was the only State in Australia that had yet to legislate for a return deposit scheme for drink containers. Once introduced the scheme will provide an incentive for waste processors to ensure that single use containers are sorted and recycled.

The introduction of a Container Deposit Scheme in Victoria is expected to significantly reduce plastic drink bottles ending up as rubbish in the environment. In other Australian states the CDS has reduced plastic drink bottles ending up in the ocean by 40%.

The Victorian CDS program is to commence from 2023/24, where by members of the community will be able to dispose of plastic and glass containers for a return price. This will include publicly accessible container deposit facilities (i.e. reverse vending machines).

Council Officers will work with Sustainability Victoria to make available services and infrastructure as part of the CDS. It is considered that leisure and recreation venues are locations well suited for container deposit facilities.

### Victorian Government Ban on Single Use Plastics from 2023:

The ban on single-use plastics will be implemented via amendments to the Environment Protection Regulations 2021, with the amended regulations to come into operation on 1 February 2023.

The banned items include single-use plastic:

- drinking straws
- cutlery (knives, forks, spoons, etc.)
- plates
- drink stirrers or sticks
- expanded polystyrene food service items and drink containers
- cotton bud sticks.

These items were chosen as they are commonly used for just a few minutes, are often littered, pose a contamination risk to recycling and may be avoided or replaced with reusables. DELWP will have primary responsibility for monitoring and overseeing the implementation of ban. EPA will have responsibility for compliance and enforcement of the ban. It will be necessary that all Latrobe City Council venues and facilities comply with the new regulations.

Considering Latrobe City Council ability to influence and effect positive change, Council Officers are working to ensure that both public recycling bins are available across Latrobe City venues and to work with Sustainability Victoria in the roll out of the CDS program from 2023. This will be accompanied by education and promotion to assist community, including early promotion of the CDS to capture attention of community from late 2022

### **Economic**

The use of single-use plastics in general is an international, national and local issue. Plastics are strong, versatile, convenient, affordable and made to last. Yet most plastic items are used just once, which has led to one of the planet's greatest

environmental challenges. When discarded in landfill or in the environment, plastic can take thousands of years to decompose, if at all.

The 2017-18 National Litter Index indicates that overall, cigarette butts, beverage containers and takeaway food packaging and beverage packaging represent two-thirds (66%) of all the litter counted across the country.

When plastics are littered, the impact comprises not only the lost economic value in the material and its production, but also the costs of clean ups, losses for recreation, tourism and the liveability of our municipality

The issue requires action at a Federal, State and Local Government level if progress is to be made in diverting single use plastics into the recycling stream. Understanding how Local Government can best influence this challenge therefore considers areas of influence we have in the services we provide.

Most plastic water bottles are made from #1 PET (polyethylene terephthalate) which is very recyclable and the most valuable plastic types.

There are very strong potential end-markets for more PET supply both locally and overseas. Prices for recovered PET bottles have remained at a high level across the second half of 2021. PET packaging scrap prices have steadily increased to around \$600–\$650 /tonne by the end of December 2021 (Source: Recovered Resources Market Bulletin – February 2022). These are some of the best prices since 2017.

It is critical that action is taken to decrease our reliance on single use plastics. Continued reliance on the community and Council to clean-up litter is no longer acceptable; measures that address litter at its source will be required to proactively and strategically tackle plastic pollution.

**Financial**

As outlined within the 30 September 2019 Council Briefing Report, the removal of all plastic drink bottles from sale at Council facilities and events would result in a net loss of profit in the order of \$50,000.

The removal from sale of bottled water would result in a net loss of profit in the order of \$35,000, acknowledging however that the reduction in bottled water purchases may be offset by increased sales of sugar-based drinks.

The volume of plastic drink bottles sold or distributed through Council facilities and events is relatively small and their removal from the waste stream would have no appreciable impact on the cost of resource recovery in Latrobe City.

Refillable plastic water bottles can be purchased at a wholesale price per unit of approximately \$2.50 that is \$1.70 more expensive than the wholesale cost per unit of bottled water. The sale or distribution of plastic refillable water bottles through Council facilities as an alternative to bottled water would be reasonably cost effective. However, dependent on the success of the initiative it can be assumed that sales of drinks in single use bottles will reduce over time and that the sale of refillable bottles would also reduce. This will result in a reduction of profit over the longer term.

<b>GRISS Drink Sales</b>				
<b>Type of Drink</b>	<b>2018/19</b>	<b>2019/20 (closed March-June)</b>	<b>2020/21 (closed June-Nov)</b>	<b>21/22 (up to 30 April)</b>



Water	\$9,174.00	\$7,567.00		
Sports Drink	\$ 8,016.00	\$7,364.00	\$7,170.00	\$15,894.00
Soft Drink	\$5,722.00	\$2,986.00	\$1,599.00	\$8,220.00
Total	\$22,912.00	\$17,917.00	\$8,769.00	\$24,114.00

The above table demonstrates that in 2018/19 water was a drink of choice at GRISS, the removal of single use water bottles has seen an increase of almost 50% in sports drinks. While the venue has not been affected by removing the water as an option, the community are replacing it with sports drinks and sugary drinks.

### **Attachments**

Nil

# LATROBE CITY COUNCIL SUBMISSION TO THE DRAFT DECLARED MINE REGULATIONS 2022

## PURPOSE

The purpose of this report is to provide Council with an opportunity to consider and retrospectively endorse a submission that was made to the Draft Declared Mine Regulations 2022.

## EXECUTIVE SUMMARY

- The Victorian Government released draft Regulations that will inform government, mining operators and community decision making relating to the rehabilitation of declared mine land (coal mines). The opportunity to comment on the draft regulation was available from 20 July 2022 to 17 August 2022.
- The submission to the draft regulations was prepared with consideration to the broader context in which the regulations sit and considered how they may influence overall outcomes, including opportunities identified by the Latrobe Valley Regional Rehabilitation Strategy – Land Use Vision.
- Given the short timeframe in which the draft regulations were released for comment, this report is provided to allow Council the opportunity to retrospectively consider and endorse the submission attached to this report.
- Should any changes be requested by Council at this time, Council may seek to provide an addendum to this submission.

## OFFICER'S RECOMMENDATION

**That Council retrospectively endorse Latrobe City Council's submission to the Draft Declared Mine Regulations 2022 and advise the Department of Jobs, Precincts and Regions of Council's endorsement of the submission.**

## BACKGROUND

Latrobe City Council's ongoing participation in the development of policy and subsequent regulations continues to seek to ensure that both the immediate and long term community, economy and environmental interests are fully and transparently understood, prior to the approval of Mine Rehabilitation Plans for the three Latrobe Valley coal mines.

The Victorian Government released draft Regulations that will inform government, mining operators and community decision making relating to the rehabilitation of declared mine land (coal mines). The opportunity to comment on the draft regulation was available from 20 July 2022 to 17 August 2022.

The attached submission considers the broader context in which the draft regulations will apply and how they may influence overall outcomes, including opportunities identified by the Latrobe Valley Regional Rehabilitation Strategy – Land Use Vision.

A summary of overarching priorities Latrobe City Council consider to be essential to mine rehabilitation and warrant inclusion within the draft Declared Mine Regulations are as follows:

- The achievement of sustainable and beneficial outcomes
- Requirement for progressive mine rehabilitation
- Ensuring the opportunity for meaningful community and stakeholder participation
- Consideration to the interrelationship between mine rehabilitation planning and works
- Continued access to brown coal resources for possible future investment opportunities
- Land tenure arrangements

Commentary in support of, and requested revisions to, the draft Declared Mine Regulations are provided at Section 3, and further detailed within the table at Section 4 of this submission.

## ANALYSIS

Mine rehabilitation must be effective for decades, if not centuries, with far reaching implications to the regional economy, community, natural resources and environment.

Bold policy and the coordination of investment will be necessary to support mine rehabilitation, repurposing of the land assets and the ongoing maintenance and after care necessary to achieve beneficial outcomes.

The continued participation of Latrobe City Council and the community in the development of policy and regulations by the State Government that will guide future mine rehabilitation is therefore remains of high importance.

## RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
<b>STRATEGIC</b> Council fails to make a submission on the draft mine rehabilitation regulations representing the interests of the Latrobe City community, environment and economy.	Unlikely	This submission has been lodged by the deadline and retrospective councillor endorsement requested.
<b>STRATEGIC</b> Council lodges its submission after the 17 August 2022 deadline so as to have the submission approved by Council first, resulting in a late submission that may not be considered.	Unlikely	This submission has been lodged by the deadline and retrospective councillor endorsement requested.

## CONSULTATION

The draft regulations were release for consultation 7 July 2022 with the opportunity to lodge a submission closing 17 August 2022. No additional community or stakeholder information sessions or briefings were provided during this period.

## COMMUNICATION

A draft of the attached submission was distributed to Councillors 12 August 2022 prior to Council Officers lodging the submission.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared that they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

Making a submission to the draft Declared Mine Regulations ensures that Latrobe City Council continues to represent the interests of our community, environment and economy and that immediate and long term benefits may be realised as mine areas and surrounds are rehabilitated and repurposed.

### **Health**

Council's submission seeks to ensure that social and community health benefits are addressed within the draft regulations.



### **Economic**

Council's submission seeks to ensure that the rehabilitation of declared mine areas and surrounding land is rehabilitated and repurposed in a manner that beneficial outcomes may be achieved for the community and economy.

### **Financial**

The lodgement of this submission will not incur any cost on Council, nor will the points raised in the submission.

### **Attachments**

1   Latrobe City Council Submission to the Draft Declared Mine Regulations 2022

# 8.2

## Latrobe City Council Submission to the Draft Declared Mine Regulations 2022

1	Latrobe City Council Submission to the Draft Declared Mine Regulations 2022 .....	23
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# **Latrobe City Council Submission to the Draft Declared Mine Regulations 2022**

August 2022



## 1. Introduction

Latrobe City Council thanks the Department of Jobs, Precincts and Regions for the opportunity to provide this submission to the Draft Declared Mine Regulations 2022. The significance and extent of intergenerational impacts and outcomes for Gippsland which may result from the rehabilitation of the Latrobe City declared mine areas cannot be overstated.

Mine rehabilitation must therefore be effective for decades if not centuries, with far reaching implications to the regional economy, community, natural resources and environment. Bold policy and the coordination of investment will be necessary to support mine rehabilitation, repurposing of the land assets and the ongoing maintenance and after care necessary to achieve beneficial outcomes.

Latrobe City Council's ongoing participation in the development of policy and subsequent regulations continues to seek to ensure that both the immediate and long term community, economy and environmental interests are fully and transparently understood, prior to the approval of a Declared Mine Rehabilitation Plan.

Latrobe City Council provides its strong support to the progression of the draft regulations, acknowledging that they provide further direction to Amendments to the Mineral Resources (Sustainable Development) Act 1990 made in 2019, specifying obligations for detailed rehabilitation planning of declared mine sites, associated roles and responsibilities.

We welcome the appointment of a single authority, understanding that this would allow the collective consideration of the compelling and interrelated commonality of interests across all mines, in particular the utilisation of scarce and valuable water resources, geographic and geological relationships.

Council is also supportive and acknowledge the State Government's confirmation of responsibilities to effect desired mine rehabilitation outcomes, including occurrences in which the State Government will utilise its powers to provide ongoing care, monitoring and maintenance.

Priority matters which Latrobe City Council request be considered for inclusion within the draft regulations are provided.

Latrobe City Councillors will have the opportunity to consider and endorse this submission at a future Council meeting. Should any changes be requested by Council at this time, Council may seek to provide an addendum to this submission.

## 2. Submission Overview

Latrobe City Council's submission to the draft regulations is provided within the broader context in which the regulations sit and considers how they may influence overall outcomes, including opportunities identified by the Latrobe Valley Regional Rehabilitation Strategy – Land Use Vision.



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Latrobe City Council Submission to the Draft Declared Mine Regulations 2022 | Page 3

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A summary of overarching priorities Latrobe City Council consider to be essential to mine rehabilitation and warrant inclusion within the draft Declared Mine Regulations are as follows:

- The achievement of sustainable and beneficial outcomes
- Requirement for progressive mine rehabilitation
- Ensuring the opportunity for meaningful community and stakeholder participation
- Consideration to the interrelationship between mine rehabilitation planning and works
- Continued access to brown coal resources for possible future investment opportunities
- Land tenure arrangements

Commentary in support of and requested revisions to the draft Declared Mine Regulations are provided at Section 3, and further detailed within the table at Section 4 of this submission.

### **3. Matters to be considered in the preparation of declared mine rehabilitation plans**

#### **3.1. The achievement of sustainable and beneficial outcomes:**

Latrobe City Council seeks to ensure that the rehabilitation of declared mine sites delivers safe, stable, sustainable and beneficial outcomes in both the immediate and long-term future. This position made clear in previous resolutions of Council.

It is understood that under Victoria's legislation, rehabilitation must be operator-led and funded however, this does present a risk that lower cost rehabilitation methods are pursued and that a reduced focus on longer term thinking and achievement of beneficial outcomes.

This approach understandably seeks to minimise exposure of the State Government to future liabilities and risks from the rehabilitation of the three Latrobe Valley Declared Mines. However, the State Government's role in mine rehabilitation should not be limited to a 'regulatory' function.

The introduction of minimum standards in which operators must comply may hinder opportunities to achieve successful outcomes and opportunities envisaged by the Latrobe Valley Regional Rehabilitation Strategy (LVRRS) Land use Vision and those opportunities put forward by the community.

#### **3.2. Requirement for progressive mine rehabilitation**

Progressive mine rehabilitation should be required by way of variation to current work plans and be included within the preparation of future Mine Rehabilitation Plans, by way of agreed milestones and outcomes to be achieved.

Progressive rehabilitation is considered critical to reducing exposure to mine fire risk and reducing the opportunity for the continued deferral of liability, as described by the Hazelwood Mine Fire Inquiry.

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Latrobe City Council Submission to the Draft Declared Mine Regulations 2022 | Page 4

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The need for progressive rehabilitation works was acknowledged by the Hazelwood Mine Fire Board of Inquiry (Vol 4) which stated:

- *“The risk involved in not undertaking progressive rehabilitation (including further fire risk) must be a key consideration, particularly considering batters will be exposed while each lake is filling and will therefore pose a fire risk over a number of years.*

*The Board concludes that the pit lake option cannot be seen to ‘ensure’ progressive rehabilitation in a literal sense any more than any other long-term option (Page 110).”*

It is the position of Latrobe City Council that efforts to ‘cap’ exposed coal batters in the short term should be the joint priority of State Government and mine operators. This would reduce mine fire risk in the short term, may reduce the critical volume of water required (where coal faces may be covered) and avoid the ongoing deferral of rehabilitation liabilities.

### 3.3. Community and stakeholder participation

Ensuring the continued opportunity for the community to participate in the development and of long-term rehabilitation plans is considered critical to ensuring that the transformation of declared mine land in a manner that is safe, stable, sustainable and in matter that is also beneficial.

Council supports the inclusion of public notice, exhibition and submission processes being provided as part of the preparation and approval of a Declared Mine Rehabilitation Plan.

Given complexity of matters to be considered for mine rehabilitation, the proposed requirement of 28 days of public notice is considered insufficient in which to allow community and other stakeholders to meaningfully participate.

### 3.4. Interrelationship between mine rehabilitation plans

The achievement of beneficial outcomes must acknowledge the shared and interwoven interests in mine rehabilitation. While rehabilitation across all three mines is differentiated by geology, geotechnical factors, business ownership and scale they have an overwhelming, compelling and inter-related commonality and share potentially competing interests, particularly where each is reliant on the utilisation of significant water resources.

The regulations do not acknowledge or require each operator to address this aspect within the preparation of rehabilitation plans.

### 3.5. Land Tenure Arrangements

Land tenure of mine areas present challenges to achieving an integrated rehabilitation strategy, including the realisation of opportunities outlined by the draft LVRRS Land Use Vision. Achieving an integrated outcome and repurposing of mine land will require coordinated land use planning, ongoing maintenance and management, along with the consideration of the relationship between declared mine land.

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Latrobe City Council Submission to the Draft Declared Mine Regulations 2022 | Page 5

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Recognising the mine areas are owned by a mixture of entities, rather than in single ownership, this presents further challenges, in particular the ability to provide public access. Further, it is considered highly likely that existing owners will seek to recoup some rehabilitation cost through “saleable lands” which may result in the creation of disconnected unusable plots of ground.

Current and future land ownership arrangements have been considered by Council in its previous submission to the LVRRS. This challenge is recognised within the LVRRS Vision which states:

- *“Much like any private landowner, the current owners may seek to reuse or sell parts or all of this land, subject to the need for rehabilitation and the planning scheme controls of the day. This will make planning for the sites complex, including allowing for public access.”*

Council resolved at the 4 June 2018 Council Meeting that:

- *“The land holdings of Engie, Hazelwood Power and other companies associated with the Hazelwood Power Station and Mine are transferred to the ownership of the Victorian or Federal government to provide a coordinated planning approach to the continued use of the mine and community benefit following mine closure.”*

The simplest way that land tenure challenges might be managed where continuous land tenure across titles is necessary to achieve beneficial outcomes, is that this land is sold or transferred to a single entity. It is reasonable therefore to explore a government ownership option where necessary to the achievement of agreed final landforms and realisation of beneficial outcomes, or where public access is proposed.

The ability of Government to undertake this function is enabled by the Mineral Resources (Sustainable Development) Amendment Bill 2019, passed through the Victorian Parliament on 10 September 2019, which introduces the establishment of a Latrobe Valley-based Mine Land Rehabilitation Authority and Post Closure Fund.

### 3.6. Continued access to brown coal resources for possible future investment opportunities

The need to preserve opportunities future development of brown coal is driven by the emergence of potential new coal uses, including dried coal products such as high efficiency coal pellets, liquids and gasses and the transformation of the coal into fertilisers such as Urea. Although many of the proposals are at concept or pilot phase, the potential development of brown coal resources would promote a sizeable expansion of the region’s manufacturing sector as well as present major opportunities for the construction, engineering and transport sectors.

Latrobe City Council supports the sustainable use of brown coal as an energy source and will continue to support generators, clean coal researchers and government agencies to develop clean coal energy pilot plants and associated research facilities in Latrobe City. A current example is the Hydrogen Energy Supply Chain (HESC) pilot being undertaken with the support of the Victorian and Commonwealth Governments in partnership with AGL (Loy Yang), Kawasaki Heavy Industries and other Japanese companies.

Latrobe City Council understands that these opportunities will be largely dependent on projects that are technically sound, commercially viable and socially acceptable.

#### 4. Detailed response to draft regulations

The draft regulations establish minimum standards to which current operators and asset owners will be compelled to respond.

Comments and requested additions to the draft Declared Mine Regulations are provided in the below table.

<b>Section of Draft Regulations</b>	<b>Comments</b>
<b>57A Requirements for annual reports for declared mine rehabilitation plans</b>	<p>Insert the requirement to demonstrate and report progressive rehabilitation planning and works.</p> <p>Insert a requirement to report land sales within the operating license area.</p>
<b>64A Prescribed period for preparation of declared mine rehabilitation plan</b>	<p>Section 64A directs that:</p> <ul style="list-style-type: none"> <li><i>For the purposes of section 84AZU(2) of the Act the following period is prescribed—</i> <p>(a) <i>In the case of a Latrobe Valley region coal mine within the meaning of section 38AAA of the Act, the period of 3 years beginning on 1 October 2022;</i></p> </li> </ul> <p>It is noted that the Draft Central and Gippsland Sustainable Water Strategy indicates that any decision on using water from the Latrobe River system for mine rehabilitation, will need to consider availability of different water sources and a drying climate, and fully protect the rights of existing water users.</p> <p>Appreciating that the draft Sustainable Water Strategy is yet to be finalised, and that it includes a number of recommendations that must be logically completed prior to determining availability of water resources for 1, 2 or 3 of the declared mines; the proposed three-year timeframe in which declared mine rehabilitation plans may be problematic.</p>
<b>64C Closure criteria</b>	<p>Section 64C(c.) directs that:</p> <ul style="list-style-type: none"> <li><i>The actions the licensee must take to achieve the long-term objective to convert the declared mine land to a <u>safe and stable condition</u>.</i></li> </ul> <p>Reference to 'sustainable' has been omitted within the Closure Criteria.</p> <p>Section 64C(f) directs that:</p> <p>(f) <i>the measures the licensee must implement to assess and manage fire risks;</i></p> <p>Request that a reference to both '<u>immediate and long term</u>' fire risk be added.</p>

<b>Section of Draft Regulations</b>	<b>Comments</b>
	Request that a reference to 'beneficial' outcomes being achieved is included with the Closure criteria.
	Request that closure criteria specify instances where State Government may be expected to utilise its powers to undertake ongoing care, monitoring and maintenance.
<b>64D Post-closure plan</b>	Section 64D directs that post closure plans must contain: <i>(a) the ongoing monitoring and maintenance activities required to maintain the declared mine land in a safe and stable state after closure;</i>
	Reference to 'sustainable' has been omitted.
	Request post-closure plans describe measures to ensure land parcels, title arrangements and conditions of tenure are complimentary to and will allow the realisation of post closure outcomes.
	This should include the identification of locations set aside for community access.
	Request that an assessment of socio-economic benefits to community and economy resulting from final landforms be detailed.
	Request that closure criteria include the requirement to demonstrate how opportunities for future utilisation of brown coal may be preserved.
<b>64F Matters required in a declared mine rehabilitation plan</b>	Request the inclusion of components within a draft mine rehabilitation plan that are considered to interact with other declared mine sites, rehabilitation planning and works.
<b>64H Duty for declared mine licensee to give notice of consultations</b>	Section 64H directs that: <i>(1) A declared mine licensee who is required to consult under section 84AZU(4) of the Act must publish a notice seeking submissions on the proposed plan at least 28 days, before giving the plan to the Department Head for approval. Given complexity of matters to be considered – 28 days of public notice is considered insufficient to ensuring the opportunity for meaningful community participation.</i>
	Latrobe City Council request that the public notice period described at Section 64H be extended to 60 statutory days.
<b>Section 64K Department Head to consider plan for rehabilitation of declared mine land</b>	Section 64D directs that: <i>(vi) that the landform minimises the fire risk so that the fire risk is not greater than any surrounding environment.</i>
	Reference to immediate and longer-term fire risk is considered.

# AMENDMENT C131 (FLOOD MAPPING UPDATE) - CONSIDERATION OF SUBMISSIONS - HOLDING REPORT

## PURPOSE

The purpose of this report is to update Council on the progress of Amendment C131 (Flood Mapping Update) and provide timeframes for progression of the Amendment.

## EXECUTIVE SUMMARY

- Council previously considered Amendment C131 (Flood mapping update) at the 1 August 2022 Ordinary Council Meeting and resolved for officers to undertake further work and consultation with the West Gippsland Catchment Management Authority (WGCMA) on the submissions received.
- Council officers, in collaboration with the WGCMA, are reviewing all 45 outstanding submissions (objections).
- Due to the time required to comprehensively and collaboratively review all outstanding submissions and make any changes to the Planning Scheme Amendment documents, officers are requesting that the report proceed to a future Ordinary Council Meeting, likely being either the 3 October or 7 November 2022 Council Meeting.

## OFFICER'S RECOMMENDATION

**That Council request officers to prepare an updated Council report for Amendment C131 to consider submissions, and present this to Council at an Ordinary Council Meeting no later than 7 November 2022.**

## BACKGROUND

At the 8 November 2021 Council Meeting, it was resolved that Council:

2. *Requests authorisation from the Minister for Planning to prepare and exhibit Amendment C131 – Flood Overlays to the Latrobe Planning Scheme, in accordance with section 8A of the Planning and Environment Act 1987.*

Amendment C131 implements the recommendation of the West Gippsland Floodplain Management Strategy (2018-2027) to update flood mapping that is informed by two flood studies; the Latrobe River Flood Study (2015) and the Traralgon Flood Study (2016). The studies prepared revised Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) mapping based on updated flood modelling. This includes the removal and addition of the LSIO / FO to areas across the municipality.

Amendment C131 was placed on exhibition from 3 February 2022 to 7 March 2022. During exhibition, a total of 66 written submissions were received, including 45 objections that remain outstanding.

At the 1 August 2022 Council Meeting, Council resolved:

*That Council defer consideration of this item to the next Council meeting and seek further advice from the West Gippsland Catchment Management Authority in relation to objections raised and updated information on works that have taken place not included in their desktop study.*

## ANALYSIS

The specific analysis Council requested was the impact of information provided by objectors, such as works undertaken since the flood modelling was completed in 2015/2016, and what consideration occurred in the assessment of their submissions.

To provide this information, numerous tasks need to occur:

- Identify the submissions that mention works;
- WGCMA Staff, Engineering and Planning staff review those submissions, and provide additional information on the assessment/s that have occurred;
- If any changes are proposed in response to this review, new official planning maps will be required from the Department of Environment, Land, Water and Planning (DELWP), which can take a week to arrive;
- Any affected submitters will be contacted and options to continue with their submission or withdraw it will occur;
- Depending on any changes that occur to the flood mapping, these changes may need to be reflected in amendment documentation (e.g. Structure Plan map); and
- Council meeting attachments will be updated and redacted where appropriate for inclusion in the upcoming Council Meeting.

Given the timeframes for the above tasks, additional time is required before officers present the council report to consider submissions.



## RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
<p>STRATEGIC</p> <p>Delay in finalisation of the Amendment may result in development in areas subject to flooding that is inconsistent with the flood hazard, resulting in long term and inconsistent planning outcomes in such areas.</p> <p>Any current LSIO / FO proposed to be removed by the overlay can continue to trigger planning permits for certain developments until such time that it is removed.</p>	<p>Likely</p>	<p>When a planning permit is required under a planning scheme trigger, those applications are to be forwarded to WGCMA for comment.</p> <p>Any area proposed to be removed from the current LSIO/FO will be taken into consideration. However, until the overlay is removed it will trigger a planning permit.</p> <p>Notification has occurred to all landowners of the amendment. Therefore, some knowledge of the proposed overlays is assumed.</p>
<p>STRATEGIC</p> <p>Submitters being aware of some submissions being resolved and not others.</p>	<p>Possible</p>	<p>Retain proposed flood overlays on properties where modelling clearly justifies that the land is subject to inundation or flooding and meets the criteria.</p> <p>This criteria is specified within <i>Planning Practice Note 12 (PPN12) – Applying the Flood Provisions in Planning Schemes</i>.</p>

## CONSULTATION

Amendment C131 was placed on exhibition from 3 February 2022 to 7 March 2022. A detailed community consultation plan was developed, and included direct notices to landowners and occupiers, notices in the Latrobe Valley Express and social media posts.



## COMMUNICATION

Council Officers have engaged with WGCMA staff as part of the review of outstanding submissions, advising that further detail is required to address how submissions have been assessed. Council's Engineering Team have also contributed to this review, in particular addressing recent stormwater works in the vicinity of submitter locations.

Any changes proposed to the Amendment will be communicated with the submitters and an opportunity will be given to withdraw the submission if the changes made have satisfied their concerns.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared that they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

The provision of updated flooding information within the planning scheme will have a net community benefit by ensuring that the risk of flooding is properly considered in future planning and that risks from flooding may be managed and minimised.

### **Cultural**

The amendment provides updated flood data and planning provisions to ensure ongoing protection of life, property, and community infrastructure in areas at risk of flooding. The amendment ensures that planning decisions will be made having regard to the most current and accurate flood information in considering development applications and in planning for new urban development.

### **Health**

The updated mapping will equip Council to plan for future growth in low-risk locations to minimise the impact of natural hazards on the community, development, and infrastructure.

### **Environmental**

The amendment has considered environmental effects, provides for sustainable land use and development outcomes, and will allow Council to plan to minimise risk to life, property, the environment, and infrastructure from flood hazard.

### **Economic**

Flooding can have significant economic impacts on municipalities and the community as a result of loss of life, damage to public and private assets, and property and agricultural losses. The amendment will ensure that new development is protected from the effects of flooding and that the flood plain is not adversely affected by inappropriate development. The amendment will discourage inappropriate new development that would be impacted by flooding or that may have adverse impacts on flood behaviour.

### **Financial**

- The project has received \$30,000 funding from DELWP to support the progression of the Amendment. \$15,000 has been spent in preparing amendment documentation.
- The further \$15,000 is allocated to a Planning Panel. If the Amendment does not progress to a Planning Panel in the future, then this funding will be returned. If the Planning Panel costs are higher than \$15,000 there is money within the Strategic Planning BAU budget to cover any additional costs.

### **Attachments**

Nil

# **STATUTORY PLANNING**

## **8. STATUTORY PLANNING**

Nil reports

# **CORPORATE ITEMS FOR DECISION**

## 9. CORPORATE ITEMS FOR DECISION

Item Number 9.1

05 September 2022

Organisational Performance

# PROPOSED SALE OF HAZELWOOD HOUSE, 59-91 PHILIP PARADE, CHURCHILL

## PURPOSE

Having considered submissions, Council is to decide on the proposed sale of Hazelwood House, Churchill to Quantum Support Services Inc (“Quantum”).

## EXECUTIVE SUMMARY

- On 6 June 2022, Council considered the two proposals it had received following an expression of interest process and unanimously resolved to sell Hazelwood House by private treaty to Quantum and invited public comment on the proposed sale:
  - Public notice was given via the Public Noticeboard of the Latrobe Valley Express, via Council’s website and Council’s Facebook page.
  - A drop-in-session was held at the Churchill HUB on Wednesday 6 July, from 10am to 3pm, where Quantum attended to provide the public with firsthand information on their intentions with Hazelwood House.
  - Councillors heard from submitters speaking to their submissions on 16 August.
- A total of 27 Public Submissions were received with the following statistics:

In support of the proposed sale to Quantum	11
Against the proposed sale to Quantum	7
Did not clearly state position on the proposed sale to Quantum	9
<b>TOTAL</b>	<b>27</b>

- Officers recommend that Council confirm its decision to sell Hazelwood House to Quantum.

## OFFICER’S RECOMMENDATION

**That Council, having undertaken an expression of interest process, given public notice, and having considered all submissions received, resolves to:**

- Sell Hazelwood House to Quantum Support Services Inc (“Quantum”);**
- Authorise the Chief Executive Officer to do all things necessary to sell Hazelwood House to Quantum:**
  - at no less than the current market value as assessed by**

**independent valuation; and**

- **subject to restricting the future use of Hazelwood House to a facility for supported youth of the Gippsland Region; and**

- 3. Confirm its earlier resolution to spend the proceeds of the sale in Churchill and District, in recognition that Hazelwood House was developed as an initiative commenced by the Churchill Community.**

## BACKGROUND

On the 6 June 2022, Council unanimously resolved to invite public comment on the proposed sale of Hazelwood House to Quantum.

### *Two proposals considered*

As is set out in the Council Report for the 6 June Meeting, Council had undertaken an expression of interest process and received two proposals, one of which was the proposal from Quantum. Officers evaluated the proposals against the previously determined evaluation criteria (as set out in the Report, including economic, social and community benefit) and recommended to Council that it accept the proposal from Quantum, subject to the condition that any future use of Hazelwood House is restricted to a facility for supported youth in the Gippsland region, so that Quantum is held to the use outlined in its proposal.

### *Public submissions received*

Public notice of the proposed sale of Hazelwood House was announced and public comment invited on the proposal. A total of number of 27 submissions were received and are now recognised within this paper. Common themes found within the submissions are:

- Churchill and district require a palliative care facility and/or a retirement village to cater for the elderly demographic who wish to stay within the area
- Churchill does not have a 24/7 manned Police Station and from this the community safety is in threat. A facility for disadvantaged homeless youth does not seem fitting for a town without a manned Police Station
- Churchill does not have the infrastructure to cater for youth, with little after school employment opportunities and transport to other neighbouring towns is by bus or similar
- Gippsland needs a facility to cater for the homeless and disadvantaged youth
- Quantum have the necessary experience and capacity to operate this facility
- Hazelwood House was built on donations from community individuals and groups who either wish for the donation to be returned or spent elsewhere should the facility be sold to Quantum
- Moving forward, the allocation of proceeds from the sale of Hazelwood House should be identified through an established reference group made up of Churchill and district community individuals and groups
- Throughout the process of the Expression of Interest for the sale of Hazelwood House Churchill, Council's community consultation was lacking and disappointing. This should be improved moving forward.

## ANALYSIS

In previous reports, Officers have provided Councillors and Council with information about the topics raised in the submissions.

As a number of submitters raised questions about fundraising, repurposing the facility for aged care or palliative care, officers have provided below a summary of information on these topics.



## **Fundraising**

In 1991, a community committee known as the Churchill Senior Citizens Village Development Committee Incorporated (“the Committee”) was formed by the community with the support of the then City of Morwell (which included Churchill and District). The Committee was formed to raise the balance of the funds required to build what became known as Hazelwood House following a significant grant from the State Government.

As the Committee was not a Council committee, Council does not hold records of the Committee, including details of the donations made (other than the donation from the then City of Morwell).

## **Aged Care Facility**

When Council was advised in 2019 that Benetas intended to close the Hazelwood House Aged Care facility, Council worked with the Churchill and District Community Association to consider options, including a community-run aged care facility. Despite contacting other aged care providers and receiving some initial interest, ultimately none put forward any proposal. Council was also advised by the Commonwealth Government that it would be unlikely to approve a community-run facility.

Council understands an important factor in the lack of interest from providers and one of the reasons identified by Benetas to close the facility is that the Hazelwood House building does not support the preferred model of care for older people being clustered living environments. These environments have dedicated care staff but residents have more home-like living quarters, allowing them more flexibility to eat and socialise when they like while providing more privacy. There is significant research to show that such environments for older people improve their quality of life, resulting in better health and well-being outcomes.

## **Hospice**

Council has been advocating for a hospice in the Latrobe Valley for a number of years. Unfortunately, the Hazelwood House site is not suitable for a hospice.

One of the important considerations in the establishment of a hospice and delivering palliative care is a formal relationship with a local hospital to allow smooth transitions between environments. While a hospice can provide complex care management, complex care requirements usually require resources only available from hospitals. Despite the need for palliative care in Latrobe City, the distance between Hazelwood House and Latrobe Regional Hospital, as well as the design of the existing building, make it an unsuitable location.

## **Summary of Submissions**

A total of 27 submissions were received and these are summarised as follows. Please note:

- The summary is intended to be an overview but not comprehensive record of each submission. In each case, Councillors are referred to the full submission attached.
- Where they were mentioned, for privacy reasons, personal telephone numbers and addresses have been removed from the public record of the submission.

‘For’ the proposed sale to Quantum	
Submission 1 – S.Gillett dated 8 June 2022	<ul style="list-style-type: none"> <li>• The sale will bring a much-needed service to the community</li> <li>• The proceeds of the sale will be put back into the township</li> </ul>
Submission 2 – S. de Hommel dated 8 June 2022	<ul style="list-style-type: none"> <li>• The sale will provide an opportunity to increase housing options in our region for disadvantaged young people.</li> </ul>
Submission 3 – R. Hustler dated 14 June 2022	<ul style="list-style-type: none"> <li>• The sale to Quantum is a brilliant idea as there is a very pressing need for this type of community development</li> <li>• Wholeheartedly endorse keeping a community facility such as Hazelwood House for community use, our disadvantaged youth should have the opportunity to be supported by Quantum’s proposal.</li> </ul>
Submission 4 – J.Slater dated 17 June 2022	<ul style="list-style-type: none"> <li>• Has seen the effects throughout the community of homelessness in youth and how this can cause a rippling long term impact in young person’s life</li> <li>• The benefits of this facility are <i>too many to list</i> and the <i>proposal is wonderful</i></li> </ul>
Submission 5 – J.Ernst dated 24 June 2022	<ul style="list-style-type: none"> <li>• Once the Chairperson of the Board of Quantum</li> <li>• The proposed sale of this property for the purpose purposed by Quantum will be a good thing for Churchill in the long term and for the young people that will have the opportunities that they can provide</li> </ul>
Submission 6 – C. van Niekerk emailed 7 July 2022  (letter dated 18 February 2022 and on behalf of AGL Loy Yang)	<ul style="list-style-type: none"> <li>• <i>AGL Loy Yang recognises and is committed to the safety and stability of families and young people in the region, and the Youth Foyer proposed by Quantum Support Services strongly aligns with these values</i></li> </ul>
Submission 7 – L. Austin dated 11 July 2022  (on behalf of TAFE Gippsland)	<ul style="list-style-type: none"> <li>• <i>The proposed refurbishment of Hazelwood House represents a significant opportunity for young people experiencing homelessness or housing instability</i></li> </ul>

<p>Submission 8 – M. Guthrie dated 8 July 2022</p> <p>(on behalf of Churchill and District Community Association Inc.)</p>	<ul style="list-style-type: none"> <li>• As President of the Churchill District Community Association (CDCA) <i>supports the proposed sale to Quantum Support Services for use as a supported accommodation facility for homeless and vulnerable youth. Such a residential program to service the Gippsland community is appropriate and sorely needed.</i></li> <li>• <i>CDCA supports Council’s condition that the proceeds of the sale be expended in Churchill and calls on Council to develop a community engagement process to determine the priorities of expenditure. No single group should determine what Council spends the sale proceeds on”. It is recommended by CDCA that Council implements a community engagement process to determine where sale proceeds should be spent.</i></li> </ul>
<p>Submission 9 – S.Hegarty dated 8 July 2022</p> <p>(on behalf of Latrobe Youth Space)</p>	<ul style="list-style-type: none"> <li>• <i>The proposed refurbishment of Hazelwood House represents a significant opportunity for young people experiencing homelessness or housing instability</i></li> </ul>
<p>Submission 10 – L.Price dated 6 July 2022</p> <p>(on behalf of Baw Baw Latrobe Local Learning and Employment Network)</p>	<ul style="list-style-type: none"> <li>• <i>The proposed refurbishment of Hazelwood House represents a significant opportunity for young people experiencing homelessness or housing instability</i></li> </ul>
<p>Submission 11 – C.Noblet dated 13 July 2022</p> <p>(on behalf of Kurnai College)</p>	<ul style="list-style-type: none"> <li>• <i>For many years Kurnai College has been advocating for the need for such a facility to be established in the Latrobe Valley to support young people in need</i></li> <li>• <i>“Having emergency and medium-term accommodation options not only in the Latrobe Valley but so close to our College would help our students achieve far better outcomes and give us a much better chance at keeping students engaged with their education as the longer they are floating around with unstable accommodation the more likely we are to lose them”</i></li> </ul>
<b>‘Against’ the proposed sale to Quantum</b>	
<p>Submission 1 – E.White dated 9 June 2022</p>	<ul style="list-style-type: none"> <li>• <i>The people of Churchill want to clean Churchill up not fill it full of more drug using teen’s and youth</i></li> <li>• <i>The sale will wreck our town I definitely disagree with selling to said organisation</i></li> </ul>

<p>Submission 2 – L and L Rasmus dated 19 June 2022</p>	<ul style="list-style-type: none"> <li>• Oppose the sale of the building and the way Council have gone about it behind closed doors</li> <li>• The people of Churchill would prefer the other so called confidential option rather than an option selected by Councillors without details for the Churchill public to see</li> <li>• No one would disagree genuine homeless youth do need assistance, but up to 38 youths in one building is no win outcome for the youth</li> <li>• The financial gain we see is Council collecting rates</li> <li>• Doubtful Quantum will support local business</li> <li>• The hostel style idea is of no value to disadvantaged youth or the Churchill Community as a whole</li> <li>• If Council did some research they would find these hostels not homes create more social problems than needed</li> <li>• There is no 24 x 7 police manned in the town something needed if Churchill is expected to cater for these types of establishments</li> <li>• Totally oppose any sale of Hazelwood House for this use to Quantum or any other company.</li> </ul>
<p>Submission 3 – J.Brewster dated 17 June 2022</p>	<ul style="list-style-type: none"> <li>• Opposed the sale to Quantum and asked their submission not to be made public</li> </ul>
<p>Submission 4 – L.Welsh dated 11 July 2022</p>	<ul style="list-style-type: none"> <li>• I do not believe that this decision is in the best interest for Churchill</li> <li>• I do not believe that Quantum have fully investigated what is available in Churchill for these youth apart from schooling and a bed. What they will do on weekends, evenings and holidays.</li> <li>• Council sees this an easy way to get rid of this building</li> </ul>

<p>Submission 5 – E.Andrijczak dated 11 July 2022</p>	<ul style="list-style-type: none"> <li>• Isolation of Hazelwood House in relation to infrastructure and youth support services</li> <li>• Within the publication Victoria’s Infrastructure Strategy 2021-2051, it references Morwell as an identified location for a Youth Foyer, due to the surrounding infrastructure available and not Churchill</li> <li>• Council’s Consultation with the Churchill and District Community was disappointing</li> <li>• Proposal Two of the EOI, being the Over 55’s Retirement Village aligns with the original intent of the Hazelwood House</li> <li>• Undertaking a second round of Expressions of Interest to fully test the potential options that might exist within the community for the purchase of Hazelwood House.</li> </ul>
<p>Submission 6 – Laurie Rasmus dated 8 July 2022 (Second submission)</p>	<ul style="list-style-type: none"> <li>• Summary included at submission 2</li> </ul>
<p>Submission 7 – Lorraine Rasmus dated 10 July 2022 (Second submission)</p>	<ul style="list-style-type: none"> <li>• Summary included at submission 2</li> </ul>
<p><b>Submission did not clearly state for <i>OR</i> against the proposed sale to Quantum</b></p>	
<p>Submission 1 – G. Brien dated 8 June 2022</p>	<ul style="list-style-type: none"> <li>• Churchill desperately need Aged Care places for their residences being either units or nursing care</li> <li>• Recognises the building will need upgrading.</li> </ul>
<p>Submission 2 – Name Unknown dated 8 June 2022</p>	<ul style="list-style-type: none"> <li>• The money of the sale be used to install the playground in Mathison Park, Churchill</li> <li>• The addition of a playground will cover a wide range of ages and diversities of interests and add to the parks features.</li> </ul>
<p>Submission 3 – R.Coomber dated 17 June 2022</p>	<ul style="list-style-type: none"> <li>• I am worried about what I have been informed.</li> <li>• If what I am told is true, then the public have to be protected</li> </ul>
<p>Submission 4 - F.Edwards dated 4 July 2022</p>	<ul style="list-style-type: none"> <li>• This submitter asked their submission not to be made public</li> </ul>

Submission 5 – W.Hutchinson dated 1 July 2022	<ul style="list-style-type: none"> <li>• For the building of Hazelwood House, the Morwell RSL provided \$21,995 on the 30 June 1996 towards the project</li> <li>• The Morwell RSL have considered its position moving forward and have the following outcomes if the sale funds go to a future project that supports the people of Churchill then we would not request any return of funds.</li> </ul>
Submission 6 – R.Place dated 4 July 2022	<ul style="list-style-type: none"> <li>• A question session should be organised and that a council person should be present to answer questions as to why the second option (Over 55s retirement village) was not accepted and I would think that option would be of great interest to many living in Churchill.</li> </ul>
Submission 7 – R.Grisotto dated 10 July 2022	<ul style="list-style-type: none"> <li>• On behalf of the Churchill Lions Club who instigated the building of Hazelwood House and contributed a good deal of money and labour in the establishment of the building of the residence, we wish to be considered in the distribution of the funds when the sale is finalised.</li> </ul>
Submission 8 – D.Blythman dated 8 July 2022	<ul style="list-style-type: none"> <li>• Agree there is a need for youth homelessness accommodation</li> <li>• However. I don't think this is the location for it, a better location would be in Morwell, Moe or Traralgon where suitable services are available to accommodate this operation.</li> </ul>
Submission 9 – M.Johnson dated 7 July 2022	<ul style="list-style-type: none"> <li>• As the President of the Churchill Football and Netball Club, the social rooms at the football club have long needed new air-conditioning and heating. We would like to request that Latrobe City consider Churchill Football Netball Club as one of the beneficiaries from the funds of Hazelwood House.</li> </ul>

#### RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY) <b>Not Applicable</b>		
SERVICE DELIVERY <b>Not Applicable</b>		

FINANCIAL <b>Not Applicable</b>		
STRATEGIC (INC REPUTATIONAL) <b>Not Applicable</b>		

#### CONSULTATION

On 16 August 2022 any submitters had the opportunity to address Councillors on their submission.

#### COMMUNICATION

All individuals who made a public submission will be notified of this report being presented to Council and will be invited to speak before Council should they wish to do so.

#### DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

The community of Churchill and district have had the opportunity for input to Council's decision. As with almost all proposals, there are those who support and oppose the proposal.

### **Cultural**

Not Applicable

### **Health**

The attached submissions reflect conflicting concerns with regard to individuals health and wellbeing as a result of the proposed sale of Hazelwood House, Churchill, to Quantum. For example, some submissions reference that the proposal by Quantum is a positive option for disadvantaged youth in the community experiencing homelessness and will provide for many currently in need. Conversely, other submissions are concerned about the impacts on the community of providing such a facility and would prefer a palliative care facility and/or a retirement village.

### **Environmental**

Not Applicable

### **Economic**

As evidenced in the attached submissions, the former Hazelwood House facility was built using funds including those raised from individuals and groups. It was previously resolved on the 6 June 2022 that the proceeds of sale of Hazelwood House, Churchill, will be spent within the Churchill and district. It is anticipated these funds will in due course provide for local community future infrastructure and in turn benefit the local economy.

### **Financial**

Within the attached submissions, many reflect their recommendations on how the proceeds of sale of Hazelwood House, Churchill should be spent in due course.

### **Attachments**

1 [↓](#).  Submission - S.Gillett dated 8 June 2022

2 [↓](#).  Submission - S. de Hommel dated 8 June 2022

3 [↓](#).  Submission - G.Brien dated 8 June 2022

4 [↓](#).  Submission - Name Unknown dated 8 June 2022

5 [↓](#).  Submission - E.White dated 9 June 2022

6 [↓](#).  Submission - R.Hustler dated 14 June 2022




[7](#)  Submission - L.L Rasmus dated 19 June 2022

8. Submission - J.Brewster dated 17 June 2022 (Published Separately)

This attachment is designated as confidential under subsection (b) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to security information, being information that if released is likely to endanger the security of Council property or the safety of any person. J.Brewster stipulated within their submission they do not wish for their submission to be a public document.

[9](#)  Submission - R.Coomber dated 17 June 2022

[10](#)  Submission - J.Slater dated 17 June 2022

[11](#)  Submission - J.Ernst dated 24 June 2022

12. Submission - F.Edwards dated 4 July 2022 (Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. F.Edwards requested their submission be marked strictly private and confidential.

[13](#)  Submission - L.Welsh dated 11 July 2022

[14](#)  Submission - W.Hutchinson dated 1 July 2022

[15](#)  Submission - R Place dated 4 July 2022

[16](#)  Submission - R.Grisotto dated 10 July 2022

[17](#)  Submission - D.Blythman dated 8 July 2022

[18](#)  Submission - E.Andrijczak dated 11 July 2022

[19](#)  Submission - C van.Niekerk dated 18 June 2022

[20](#)  Submission - M.Johnson dated 7 July 2022

[21](#)  Submission - L.Austin dated 11 July 2022


[22](#)  Submission - M.Guthrie dated 8 July 2022

23 [↓](#).  Submission - S.Hegarty dated 8 July 2022

24 [↓](#).  Submission - L. Price dated 6 July 2022

25 [↓](#).  Submission - Laurie Rasmus dated 8 July 2022

26 [↓](#).  Submission - Lorraine Rasmus dated 10 July 2022

27 [↓](#).  Submission - C.Noblet dated 13 July 2022

# 9.1

## Proposed sale of Hazelwood House, 59-91 Philip Parade, Churchill

1	Submission - S.Gillett dated 8 June 2022.....	52
2	Submission - S. de Hommel dated 8 June 2022.....	53
3	Submission - G.Brien dated 8 June 2022 .....	54
4	Submission - Name Unknown dated 8 June 2022.....	55
5	Submission - E.White dated 9 June 2022 .....	56
6	Submission - R.Hustler dated 14 June 2022 .....	57
7	Submission - L.L Rasmus dated 19 June 2022 .....	58
9	Submission - R.Coomber dated 17 June 2022 .....	60
10	Submission - J.Slater dated 17 June 2022 .....	61
11	Submission - J.Ernst dated 24 June 2022 .....	62
13	Submission - L.Welsh dated 11 July 2022.....	65
14	Submission - W.Hutchinson dated 1 July 2022.....	67
15	Submission - R Place dated 4 July 2022.....	68
16	Submission - R.Grisotto dated 10 July 2022 .....	69
17	Submission - D.Blythman dated 8 July 2022.....	71
18	Submission - E.Andrijczak dated 11 July 2022 .....	74
19	Submission - C van.Niekerk dated 18 June 2022.....	78
20	Submission - M.Johnson dated 7 July 2022.....	82
21	Submission - L.Austin dated 11 July 2022 .....	84
22	Submission - M.Guthrie dated 8 July 2022.....	88
23	Submission - S.Hegarty dated 8 July 2022.....	91
24	Submission - L. Price dated 6 July 2022.....	93
25	Submission - Laurie Rasmus dated 8 July 2022.....	95
26	Submission - Lorraine Rasmus dated 10 July 2022 .....	98
27	Submission - C.Noblet dated 13 July 2022.....	100

**From:** "Sam Gillett" <samjg@hotmail.com>  
**Sent:** Wed, 08 Jun 2022 22:37:51 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission – Proposed sale of Hazelwood House, Churchill

To Whom it may concern,

I fully support the sale of Hazelwood House to Quantum as it will bring a much needed service into the community.

This is conditional as any money gains through sale of Churchill assets should be put back into the township.

The facilities at Andrews Park West are all council owned and not upto standard. Other local sporting facilities have had recent upgrades, yet the baseball and cricket clubs are stuck using buildings over 40 years old.

The Andrews Park West pavilion on the hawthorn Crescent side of the facility, does not have disabled access, does not have change facilities, does not have baby change space or table and does not adequately meet the users needs.

Too often, players are using public areas to change into uniform and there is only one toilet each for male and female. The female labelled toilet is a danger to anyone who doesn't know they need to dodge the hotwater service on the way to the toilet to avoid being cut or burned.

The baseball club lost a family of five last season due to the facilities being subpar. The mother was medically bound to a wheelchair and had to go home to relieve herself and was offered no protection from the seasons due to the inability to access shelter and warmth.

While lighting is also an issue at this facility that has seen injuries due to the poor level of lumen- the facilities upgrade will allow growth of the club to be able to assist with funds for lighting projects.

Kind regards,

Sam Gillett  
Lifetime Churchill resident.

Get [Outlook for Android](#)

**From:** "Skye De hommel" <skye.a.dehommel@gmail.com>  
**Sent:** Wed, 08 Jun 2022 21:13:05 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission – Proposed sale of Hazelwood House, Churchill

I just want to provide my support for any opportunity to increase housing options on our region for disadvantaged young people

Cheers

Skye de hommel

**From:** "Gwen Brien" <outlook\_2DA6FE306DAB8CC8@outlook.com>  
**Sent:** Wed, 08 Jun 2022 16:39:08 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Churchill's Hazelwood House

We desperately need Aged care places for our residents. Either units or nursing care. Nearly every town I know has somewhere for their older locals to go when they require it!

I know it will need upgrading but the building is a start.

It is time for this to happen for our community, not Traralgon or Morwell.

Gwen Brien

• Like

Sent from [Mail](#) for Windows

**From:** "place@aussiebb.com.au" <place@aussiebb.com.au>  
**Sent:** Wed, 08 Jun 2022 14:28:15 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** "Submission – Proposed sale of Hazelwood House, Churchill".

Dear Mr. Piasante,

I have been informed that the motion was passed at council to sell Hazelwood House to Quantum. and that the proceeds be used in Churchill for sporting facility upgrades. I would like to put a proposal to council that the money of the sale be used to install the playground in Mathison Park for which we have waited some years. Mathison Park has at least 5000 people walk its paths plus many families and other s come to the picnic shelters and walk in different ways to that covered by our counter.

This use of the money would cover a very wide range of ages and diversities of interests and add to the park the feature which will attract even more to enjoy this wonderful facility.

We would encourage you and the councillors to come and see the park and realise its great potential for our region.

Please feel free to ring me on

or email [place@aussiebb.com.au](mailto:place@aussiebb.com.au)



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

**From:** "Eathon White" <eathonwhite1994@gmail.com>  
**Sent:** Thu, 09 Jun 2022 11:31:03 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission of proposal of sale of hazel wood house

This is the stupidest idear ever . The people of Churchill want to clean Churchill up not fill it full of more drug using teen's and youth that are going to damage our town Evan more iv lived in Churchill my hole live I'm raising a family in Churchill because it was a good county town 20 years ago glendonald is slowly getting better and better buy placing the "disadvantaged" in what some familys would call there last happy spot with loved one's that passed there such as my wife's grand mother "Carmon mckay" you will wreck out town I definitely disagree with selling it to said organization. Think of Churchill's future people will move away because the crime rate will be through the roof turn it into a 24hr police station with cell's there's plenty of drug dealers and criminals in the don



**From:** "Rosalind Hustler" <rshustler@yahoo.com.au>  
**Sent:** Tue, 14 Jun 2022 20:35:02 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission - Proposed sale of Hazelwood House, Churchill

Dear Councillors,

What a brilliant idea to sell the property to Quantum. There is a very pressing need for this type of community development. As a ratepayer I wholeheartedly endorse keeping a community facility such as Hazelwood House for community use. Our disadvantaged youth should have the opportunity to be supported by this proposal from Quantum.

Regards

Rosalind Hustler

Sent from my iPad

**From:** "Irasmus1@aussiebb.com.au" <Irasmus1@aussiebb.com.au>  
**Sent:** Sun, 19 Jun 2022 21:28:16 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** "Submission-Proposed sale of Hazelwood House Churchill  
**Attachments:** hazelwood house sale.rtf

letter attached

#### Questions regarding sale of Hazelwood House

I have asked who other interested party was and what was their proposed use going to be and was told that this is confidential information . I inquired about how and when property was put on the market and who was the valuer , told that it was advertised through the media same answers when I asked what the valuation was ,this is apparently confidential info until its set in stone as well

Whilst we dont object to this asset , belonging originally to the hard work from members of the Churchill community .we oppose the sale of the building and the way that Latrobe City Council has gone about it especially the behind closed door sale by Council . maybe the people of Churchill would prefer the other so called confidential option rather than an option selected by Councilors without details for the Churchill public to see as to how Quantum will run this facility , no one would disagree genuine homeless youth do need assistance but with the prospect of up to 38 youths in one building is a no win outcome for the youth needing assistance . The only financial gain we see is Council collecting rates , and the likelihood Quantum will support local bussiness would be doubtful . This hostel style idea is of no value to the disadvantaged youth or the Churchill community as a whole or for that matter any other town , if Council did some research they would find these hostels not homes create more social problems than needed especially when there is no 24 x 7 police manned in the town something needed if Churchill is expected to cater for these types of establishments

So to sum it up we totally oppose any sale of Hazelwood House for this use to Quantum or any other company , when there other needs that cant be accessaed in the L.C.Council

Lorraine & Laurie RASMUS

Ph Home

Mob Lorraine

Laurie

**From:** "Ronald Coomber" <ronaldcoomber205@gmail.com>  
**Sent:** Fri, 17 Jun 2022 00:41:49 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Cc:** "Marie jacqueline Coomber" <mariejacquelinecoomber9520@gmail.com>  
**Subject:** Hazelwood house Churchill

I believe that the old aged care home is to be sold to Quantum could you please in detail what the site is to be used for in more detail .As what I have been told what thy may intend to use it for. I live at [redacted] and have been a security constant for many years who i worked for Myers and the victorian prison service eg jika jika his security devisio Now I have retired and look forwards to a peasfull time for the rest of my life.At the moment we have a few people who disregard the law.So I am worried of what i have been informed but if what i am told is true then the puplice has to be proteted as munch as possible eg 24 hour police station, high security gates for the one in side and the public out side cameras again to do the same and be monitered 24/7 around the week and gards who are checked by the security cameras to insure there health and others .

If you need any help or advice please contact me Regards Ronald james Coomber  
Mobile number  
Email [ronaldcoomber205@gmail.com](mailto:ronaldcoomber205@gmail.com)

--  
[ronaldcoomber205@gmail.com](mailto:ronaldcoomber205@gmail.com)

**From:** "Josie Slater" <josephineslater123@gmail.com>  
**Sent:** Fri, 17 Jun 2022 19:12:59 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Proposed sale of Hazelwood House, Churchill

Good evening,

I'd like to provide my feedback on the proposed sale of Hazelwood House in Churchill.  
I have worked within the role of a youth residential care worker as well as the Second in charge of a youth residential house.

I am now working as a Homelessness Response practitioner. Throughout my career I have seen the effects throughout the community of Homelessness in youth and how this can course a rippling long term impact in young people's life's.

I am overwhelmed to hear about the proposal and would welcome the opportunity to potentially impact such a large and vulnerable community, the benefits the facility could provide are too many to list.

I think the proposal is wonderful.

It's a needed resource in our area that would be utilised to its full potential.

I could not provide any negative feedback and could easily go on about what an amazing impact the facility could and would have but I will keep it short and reiterate I think it is an amazing needed opportunity for our community and truly believe Quantum could deliver a service to a very high standard.

Kind regards  
Josephine Slater

**From:** "John Ernst" <jaernst@gmail.com>  
**Sent:** Fri, 24 Jun 2022 15:08:43 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Proposed sale of Hazelwood House, Churchill  
**Attachments:** Proposed sale of Hazelwood House.docx

Please find attached my submission in relation to the sale of Hazelwood House to Quantum Support Services.

--  
John Ernst

**Proposed sale of Hazelwood House, Churchill****24<sup>th</sup> June 2022**Declaration of perception of pecuniary interest:

I was the Chairperson of the Board of Quantum and oversaw the expansion of the service across Gippsland with acquisitions of property in Morwell and Warragul. As well as the development of the programs from providing support for homeless people to include a broad range of support services across Gippsland. I retired from the Board more than 10 years ago about the time I moved to Churchill.

My interest in this project.

I am a resident of Churchill and have an interest in this proposal as it will be near where I live and will be a part of the community for many decades as such it is important that the Council carefully consider the suitability of such a facility for this town.

Context for Churchill.

As a long-term resident of Churchill and district I am well aware of the fantastic community that Churchill is and that it has endured many hardships and challenges over a sustained period of time. From the SECV sackings in the mid 80's through to the changes to education provision and opportunities for our young people. We have seen youth services come and go from this community with some devastating consequences. In the early 80s the Churchill Community Health Centre (Latrobe Community Health) provided a range of local community support opportunities from youth workers through to family support services to those in most need.

Over time, and with the consolidation of local service into centralised services centres in Morwell, nearly all of these local supports have been stripped from Churchill including all local youth services. This has resulted in the old problems of young people acting out re-immersing and a lot of the old arguments by the community seeking more police and heavy-handed responses also happen.

Social media has been abuzz with worried residents concerned about further issues with young people in the town and have been calling for yet another 24-hour Police Station in Latrobe City (something no other municipality in regional or rural Victoria has).

From first hand experience I know that when Churchill had its own youth workers that we didn't have the same level of community anxiety – in fact the same can be said for all the towns in Latrobe City. Moe, Morwell and Traralgon all had Youth Workers working directly with young people in the towns at street level and only Traralgon required 24-hour Police all of these were sacked by the Latrobe Shire Commissioners in the mid 90's as they were directed by the Liberal Government of the time to concentrate all services on what was perceived to be core local Government work.

Youth advocacy in the town has been significantly weakened over time. The irony is not lost on me that we are talking about a facility that will support young people but we have no mechanism for seeking their opinion. We, the adults, have again been called upon to offer an opinion about a facility that will support many young people over time.

**Recommendation: That Latrobe City investigate mechanisms for engaging Churchill young people in the decisions that will impact facilities in their community.**

The proposed sale and the proposed facility.

It is my educated opinion (having been one of the Youth Workers that worked in this town) that the sale of this property for the purpose proposed by Quantum will be a good thing for Churchill in the long term and for the young people that will have the opportunities that they can provide. There is a problem that I have seen many times, and this is that without support for the local young people that facilities like this become the target of problems between local young people and those in the supported accommodation. This is especially a problem given the location of this facility is in the very part of the town that already has significant "issues" with the local young people. You do not need to look far for the evidence of this just have a look at the maintenance and damages bill being paid by your Parks and Gardens teams in Glendonald Estate.

**Recommendation: That the Latrobe City Council approve the sale of this facility to Quantum Support Services on the proviso that it provides the community of Churchill with ongoing place based (Churchill Based) community youth workers to work with local young people who may be experiencing difficulty.**

Offer of ongoing support.

Clearly, I have a passion for supporting our local young people but I also have a passion for this community and I am keen to see any new services that benefit both encouraged. I have a long corporate knowledge of community services in the Latrobe Region and would be happy to support the council with additional information if required.

Regards

John Ernst



**From:** "ROBERT WELSH" <jockandlinda@bigpond.com>  
**Sent:** Mon, 11 Jul 2022 22:07:29 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Re submission sale of hazelwood house

Dear Council,

After reading all the information from quantum and the council, attending the drop in centre and talking to representatives of both parties I do not believe that this decision is in the best interest for Churchill.

The questions I put to the CEO of Quantum The Age Of Youth 16 to 24 this is children and adults.

Answer It will probably be 18 to 20. Probably is not an answer.

The number of youth 40+. Government went away from these models {institutes} years ago. put all disadvantage people into home settings.

Answer This is the model.

Few more questions ,a few more shrugs of the shoulders and I left saying "you certainly havn,t said anything to convince me that this will be a good thing for Churchill.

Spoke to a council Representative who said there were only two submissions and quantum ticked more boxes.I asked if this was because the rules changed and only NON PROFIT organizations could apply. Her answer was

I don't believe that is true.I told her it was on a Churchill facebook sight dealing with the sale and that it came from a councillor.I found this later in the day and took it back to the representative ,she copied it and those there said it needed to be sent into council ASAP

She then directed me to a quantum employee who was very passionate about the project and was more informative.

I asked him the same Questions re aging and numbers and he answered he can only go by the model and it is showing success in other places.

He explained their vision of getting the youth back into education, work,sport and involving them in the community..All participants must want to do it and need to sign a contract.

I agreed about the schooling available here and Morwell .I asked about employment as after hour work would be limited as we only have two supermarkets ,a hotel and the leisure centre that employ people after school hours .We have Churchill and district youth ,the university, and now another 40+ looking for employment .We then talked about sport and he said we have a great rec centre here.I explained there is not much going on there ,no basketball,netball etc. I was then asked what sport was in Churchill I gave him as much information as I knew and said that a lot of people go to neighbouring towns for they chosen sport.His answer was We will have to transport if necessary .Having been involved in sport for many years I also explained that 16 is the age that many people drop out of sport not start playing.

We then discussed {filling the beds } to make sure of funding. His reply was if they don't fit the criteria and prepared to honour their contract they won't be accepted. I do not believe that this is a decision that he will get to make.

We then spoke about no visible police presence and did we have much trouble in Churchill. I said it would depend on who you were speaking to. If your car was stolen or damaged, your house was broken into twice, when at work and when you were woken up to by young men in your kitchen at 2am you live alone and had to wait for 2 hours until the police came, you have things dropped on your car from the overpass, your sporting club getting broken into or damaged time and time again, upping the insurance and needing to fit alarms or bars, you might think it very necessary to have police presence. It used to be everything happened after midnight as police were no longer in Churchill now everyone knows you have 20 minutes plus to do the crime at any time.

My outlook on this is as follows' I do not believe that Quantum have fully investigated what is available in Churchill for these youth apart from schooling and a bed. What they will do on weekends, evenings and holidays.

Council you see an easy way to get rid of this building without any costing to you, offering the money to user groups of the town for things that council should have done for them years ago. Churchill is part of the Latrobe City Council but are always last in line when things need to be done.

I am willing to attend a council meeting to discuss my submission.

Linda Welsh

jockandlinda@bigpond.com.au

**From:** "Wayne Hutchinson" <president@morwellrsl.com.au>  
**Sent:** Fri, 01 Jul 2022 13:35:16 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Sale of Hazelwood House.

Hi

I am writing as a result of the public notice in the *Latrobe Valley Express* 15/6/2022, page 3 and more details online on the LCC website; Council Agenda, 6 June 2022 Item 7.2.  
The Morwell RSL provide \$21995 on the 30 June 1996 towards the project.

The Morwell RSL has considered its position with the following outcomes.

1. If the sale funds go to a future project that supports the people of Churchill then we would not request any return of funds.
2. If the funds are not to be used for the benefit of the Churchill community then we would be request the return of the funds as it is not being used as originally requested.

For your consideration.

Regards Wayne

Wayne Hutchinson  
President  
Morwell RSL Sub Branch

**From:** "place@aussiebb.com.au" <place@aussiebb.com.au>  
**Sent:** Mon, 04 Jul 2022 20:20:33 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Sale of Hazelwood House

Dear Steve

I was pleased to see that a drop in time at the Hub had been arranged re the sale and use of Hazelwood House. But it seems that only a Quantum person will be there to answer questions.

I would have thought, as do others with whom I have spoken, that a council person should be present to answer questions as to why the second option (Over 55s retirement village) was not accepted.

I would think that option would be of great interest to many living in Churchill.

Is it possible to have some one attend please?

Kind regards

Ruth Place



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

**From:** "Mezzareg" <mezzareg@gmail.com>  
**Sent:** Sun, 10 Jul 2022 14:50:15 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission

Re: The Sale of Hazelwood House

The Churchill Lions Club instigated the building of Hazelwood House and we contributed a good deal of money and Labour in the establishment of the building of the residence.

I was personally involved with the fund raising towards the residence and was on the original committee.

Our club also contributed to the landscaping together with the Churchill Lioness club, who planted some 200 hundred roses and continued to maintain the gardens until the house was closed.

We wish to be considered in the distribution of the funds when the sale is finalised.

Please contact me of any further developments

Yours sincerely

Immediate Past President of Churchill Lions Club  
Reg Grisotto

This page has been left intentionally blank

**From:** "David Blythman" <dablythman@outlook.com>  
**Sent:** Fri, 08 Jul 2022 11:59:17 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission Proposed Sale Hazelwood House  
**Attachments:** Propesed sale of Hazelwood House.docx

Good morning,  
Please find attached submission for consideration.  
David Blythman

8.7.2022

Mr Steven Plasente  
Chief Executive Officer  
Latrobe City Council  
PO Box 264  
Morwell 3840

Submission – Proposed Sale of Hazelwood House.

Dear Steven,

I wish to make the following submission on the above topic.

Whilst I agree that there is a great need for a Youth Homeless accommodation, I don't think this is the location for it due to no suitable infrastructure that would be able to support such an operation. A better location would be in Morwell, Moe or Traralgon where suitable services are available to accommodate this operation.

Also, in Quantum's submission document it does not spell out how this facility and training, plus funding would be provided.

As the previous Chairman of Grace Bruce & JL McMillian Homes (Dalkeith) this building was purchased by Dalkeith from the Latrobe City via the State appointed Commissioners in the early nineties due to it being unable to open due to lack of funds. We the Board took over the operation and financed the fitting out of the building, carpets, furniture, kitchen, air-conditioning to the sum, \$900 plus Thousand. We then employed staff to operate this facility.

After some 18 months we had to spend another \$760 Thousand in restumping, fitting new doors, carpets and repainting cracked walls due to movement of the ground. We also fitted a drip irrigation system to stop the clay /soil drying out to stop future movement. Total investment of \$1.6 million dollars.

If the Council still wishes to proceed with this sale, please give consideration to the Residents in Traralgon as well as the Churchill residents in the dissepiments of funds.

I would be happy to address Council if so required.



Yours sincerely,

David Blythman

Email [dablythman@outlook.com](mailto:dablythman@outlook.com)

**From:** "Elaine Andrijczak" <elaine.andrijczak@gmail.com>  
**Sent:** Mon, 11 Jul 2022 12:47:17 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission - Proposed Sale of Hazelwood House, Churchill

I am submitting my formal objection to the proposed sale by Latrobe City Council of Hazelwood House and surrounds to Quantum Support Services and offer the following comments.

My family has lived in the Hazelwood/Churchill district for generations and financially contributed to the establishment of Hazelwood House where my mother was well looked after during her final years.

It is my view that the Council's proposal to sell Hazelwood House to Quantum Support Services for the purpose of establishing a Youth Foyer is not appropriate for a range of reasons as follows:

**1. Isolation of Hazelwood House in relation to infrastructure and youth support services**

The relative isolation of Hazelwood House in relation to infrastructure and youth support services suggests to me that Hazelwood House is not the most suitable location to become a future Youth Foyer.

Logistical difficulties would be encountered by homeless and disadvantaged youth who would be residing at the Youth Foyer in accessing community and unemployment services and employment opportunities, which would require travelling to Morwell.

**2. Morwell identified as location for a Youth Foyer in "Victoria's Infrastructure Strategy 2021-2051"**

As identified in the publication "Victoria's Infrastructure Strategy 2021-2051", Recommendation 92: Fund more Youth Foyers in regional Victoria", I believe that the intended use by Quantum Support Services for a Youth Foyer to be located in the former Hazelwood House facility is not in the functional best interests of the intended participants.

I refer to the following website:

<https://www.infrastructurevictoria.com.au/report/4-3-foster-regional-victorians-health-wellbeing-and-inclusion/>

Scroll down to 'Recommendation 92: Fund more Youth Foyers in regional Victoria' for the details.

*"The Victorian Government should fund at least six new 40-bed Youth Foyers in regional Victoria in the next five years." ... .. "We have identified Bendigo, Geelong, Mildura, Morwell, Wangaratta and Wodonga as possible locations for Youth Foyers in regional Victoria, due to high levels of school disengagement and youth unemployment, good public transport links, and easy access to community services and tertiary education opportunities".*

As can be seen from this report, Morwell is the identified location for a Youth Foyer *"due to high levels of school disengagement and youth unemployment, good public transport links, and easy access to community services and tertiary education opportunities."*

If a 40 bed Youth Foyer was to be established in Churchill, these services would not be as readily available to the participants and there would be a limited opportunity for participants to obtain employment in Churchill.

With Quantum indicating that a \$13million spend was envisaged for a Youth Foyer in Churchill, this money could be better spent on such a facility in Morwell with Latrobe City Council and the State Government coming together to find a suitable site for its establishment, preferably near the TAFE Gippsland precinct.

### **3. Council's Consultation with the Churchill and District Community**

Council needs to place a much greater focus on community consultation.

It was disappointing that initially there was little information about the details of what Quantum was proposing to establish at Hazelwood House apart from what was in the Report to Council of 6<sup>th</sup> June 2022 – *“the intent is to provide affordable and sustainable medium-term accommodation for homeless and disadvantaged youth for people of the Gippsland region.”* There was no mention about a proposed 40-bed Youth Foyer.

It was on reading Quantum's website that I became aware of the proposal for a Youth Foyer – see below:

*“Quantum works towards Inner Gippsland Youth Foyer*

*Quantum is proposing to use the site to provide affordable and sustainable medium-term accommodation for homeless and disadvantaged youth for people of the Gippsland region. This facility was identified in Infrastructure Victoria's roadmap, Victoria's Infrastructure Strategy 2021-2051, as critical for our region and will give a dedicated and evidence-based medium-term solution for young people.”*

It wasn't until Friday 1<sup>st</sup> July (Council made the decision at the Council Meeting held on 6<sup>th</sup> June 2022) that Council announced on Facebook and on its website that a Quantum 2 page 'Community Information Sheet' was available and that a Drop-in Session would be held at the Churchill Hub on the following Wednesday, 6<sup>th</sup> July 2022, 10am-3pm with representatives of Quantum and Latrobe City Council in attendance.

Many people are not on Facebook. Unless someone was using Facebook they would be unaware of the Quantum Community Information Sheet being available and that the Drop in Session was being held.

### **4. Proposal Two – Over 55's Retirement Village**

This proposal would align to the original intent of the Hazelwood House aged care facility which was to provide an opportunity for people to age while still remaining in their local area.

An Over 55's Retirement Village could provide a setting for senior people who are looking:

- a. to downsize and could see a Retirement Village as a logical 'next step'
- b. For a 'tree change' to a beautiful rural setting at the foothills of the Jeeralangs

I want to place on record that I have no vested interests in Proposal Two.

#### 5. **Allocation of the proceeds from the sale of Hazelwood House**

I reference the Council resolution of 6<sup>th</sup> June 2022 that included the following:

*“In recognition that Hazelwood House was developed as an initiative commenced by the Churchill community, resolves to spend the sale proceeds in Churchill and district.”*

I submit that Council should establish a Reference Group to assist in the identification of suitable projects for repurposing the funds derived from the sale of Hazelwood House for appropriate community projects. This Reference Group should include representatives from Churchill and district community groups such as:

Churchill and District Community Association  
Churchill and District News  
Churchill Neighbourhood Centre  
Hazelwood Rotary Club  
Churchill Lions Club

Federation University may be interested in being part of the process in determining projects that may have a broad community benefit.

#### 6. **My Suggested Options for the Allocation of Proceeds from the Sale of Hazelwood House**

a. As community contributions to the establishment of Hazelwood House were made with the sentiment that the money was going to be spent to assist those ageing in the community who required special care and accommodation in a hostel setting in Churchill, any proceeds from the sale of Hazelwood House should be firstly allocated to projects which can contribute to the quality of life of the senior citizens in Churchill and district, e.g. projects which bring senior people together who may face isolation and loneliness, activities that contribute to their wellness.

b. Another worthy project for Churchill would be to see the original vision for Mathison Park, an area of 37.8 hectares, to be developed as a **Regional Park** become a reality. The ‘Vision’ for Mathison Park as stated in the Mathison Park Management Plan June 2018:

- *Mathison Park is a regional park that provides a popular, peaceful and attractive setting for children’s play, sightseeing, walking, socialising, observing nature and picnicking.*
- *Residents and visitors to the region visit the park to attend events, relax and enjoy the attractive setting. Visitors take pleasure in learning the historical, cultural and environmental significance of the park and enjoy the atmosphere that events at the park provide.*
- *A unique regional level play space and a high-quality path network which encourages physical activity, healthy lifestyle and a greater relationship with the environment.*

It is time for Churchill to enjoy an upgrade of its present park in the context of the recommendations in the Management Plan.

Mathison Park is in close proximity to the Churchill town centre and all members of the community, especially senior citizens, can enjoy this passive recreation environment.

**7. Options for a Second Round of Expressions of Interest to Purchase Hazelwood House**

I would ask Council to consider undertaking a second round of Expressions of Interest to fully test the potential options that might exist within the community for the purchase of Hazelwood House and surrounds and for these to be considered by Council.

I would like the opportunity to speak to my objection at a Council Meeting and nominate Nick Andrijczak to act on my behalf.

Regards

Elaine Andrijczak

[elaine.andrijczak@gmail.com](mailto:elaine.andrijczak@gmail.com)

**From:** "Shaun Mallia" <SMallia@agl.com.au>  
**Sent:** Thu, 07 Jul 2022 11:40:33 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Cc:** "Keshia Moss" <KMoss@agl.com.au>  
**Subject:** Submission – Proposed sale of Hazelwood House, Churchill  
**Attachments:** 20220221\_AGL Loy Yang Letter of Support.cleaned.pdf

Dear Steven Piasente,

Please find attached AGL Loy Yang’s original submission supporting Quantum Support Services’ tender for a Youth Foyer and the proposal for Latrobe City Council to sell the Hazelwood House facility to the service.

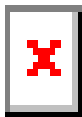
We do not wish to speak in support of the submission. Please consider the attached letter of support for submission to the proposed sale as our official position on the matter.

Thank you and do not hesitate to reach out for further information.

Regards,

**Shaun Mallia**  
 Senior Specialist, Community Relations  
 Corporate Affairs

m:  
 e: [smallia@agl.com.au](mailto:smallia@agl.com.au)



\*\*\*\*\*

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**AGL Energy Limited**

T 02 9921 2999

F 02 9921 2552

agl.com.au

ABN: 74 115 061 375

Level 24, 200 George St

Sydney NSW 2000

Locked Bag 1837

St Leonards NSW 2065

Friday 18 February 2022

**RE: AGL Loy Yang's Support for Inner Gippsland's First Youth Foyer**

AGL Loy Yang is committed to the empowerment of the communities in which we operate including townships within Latrobe City, Gippsland. As such, I am pleased to provide this letter of support for the proposal led by Quantum Support Services to establish Inner Gippsland's first youth foyer at Hazelwood House, Churchill.

Our business recognises and is committed to the safety and stability of families and young people in the region, and the Youth Foyer proposed by Quantum Support Services strongly aligns with these values.

AGL Loy Yang is supportive of activities that contribute to Gender Equity and Diversity Inclusion within our community and workforce and works in close partnership with a range of community groups and networks to assist this aim. We support Quantum's work in ensuring client connection to gender, cultural and social support networks as part of the delivery model.

As a member of the GROW (Growing Regional Opportunities for Work) Gippsland initiative, AGL Loy Yang demonstrates its commitment to supporting innovative approaches to local economic development, access to local investment opportunities and the flow on effect to improve social impact in the region.

We believe that the proposed Youth Foyer model will assist the creation of local employment opportunities as well as providing stability of housing to support young people to engage in education, employment and volunteer pathways, hence contributing to the local economy.

If Quantum is successful in the current funding support application to establish Inner Gippsland's First Youth Foyer model, AGL Loy Yang would like to offer the following contributions in support of the future implementation and delivery:

- Strengthen opportunities to connect with diversity support and inclusion networks by way of introduction to our network partners across Gippsland. This may assist Quantum case workers to connect young people to place based supports throughout their journey to independence.
- Provision of AGL Loy Yang workforce volunteer program participants to assist requirements, activities and events undertaken at the site.
- Consideration of funding contributions to support the establishment of the facility, associated program activities and ongoing delivery initiatives including event activities or targeted education programs
- Connection to complimentary education initiatives that support young people to manage energy expenses toward empowering independence
- Introduction and collaboration with other agencies or organisations that offer government funded sustainability initiative consultancy toward improving energy usage outcomes.

We support Quantum Support Services in its bid for capital funding for this important project and look forward to a successful outcome to benefit the young people of Inner Gippsland.





AGL Loy Yang looks forward to working with Quantum to identify other aspects of collaboration that offer best support to the successful delivery of the service and achievement of goals for young people participating in the program.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Christo van Niekerk'.

**Christo van Niekerk**  
**AGL Loy Yang General Manager**

On Behalf of AGL Loy Yang

**From:** "Mark Answerth" <arkus23@outlook.com>  
**Sent:** Fri, 08 Jul 2022 14:18:43 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Cc:** "mick.johnson61@gmail.com" <mick.johnson61@gmail.com>;"Melissa Ferguson" <melissliam@outlook.com>  
**Subject:** "Submission – Proposed sale of Hazelwood House, Churchill"  
**Attachments:** Submission – Proposed sale of HazelwoodHouse, Churchill.docx

Please refer to attached letter.

Regards,

**Mark Answerth** – Managing Director (Jaams 23 Pty.Ltd)

Sent from [Mail](#) for Windows 10

Mr. Steve Piasente  
CEO  
Latrobe City Council  
Commercial Road  
MORWELL VIC 3840

7<sup>th</sup> July 2022

Dear Steve,

The Churchill Football Netball Club has been made aware of the sale of Hazelwood House in Churchill. We understand that there will be substantial funds available to the Churchill community upon the completion of this sale.

Our social rooms at the football club have long needed new air-conditioning and heating and we have had quotes for this which range between \$40,000.00 and \$80,000.00 (we can provide these quotes)

The lack of heating and cooling has resulted in our main function room not being able to be used during winter or summer when it is either extremely hot or cold. The result of this is that we have the expense (rates, insurance, maintenance and running costs) but not the income. Our social rooms have for many years provide a venue for local schools to hold formals and exams as well the club has hosted many celebrations (weddings, parties, etc). The club earlier this year held a funeral with over 400 people attending, unfortunately this day was extremely warm and the conditions in the room were very uncomfortable, this resulting in one patron collapsing and had to go to hospital.

The social rooms are wholly owned by the Churchill Football Netball Club, the club has built and paid for them with its own labour and funds, with not impose or cost to Council.

We would like to request that Latrobe City consider Churchill Football Netball Club as one of the beneficiaries the funds from the sale of Hazelwood House to assist with the installation of heating and cooling. We would also like Latrobe City to considering providing funding for a playground at Gaskin Park, something the venue has not had for many years and is in the Gaskin Park master plan.

Regards,

Mick Johnson

Michael Johnson – President CFNC

**From:** "Linda Austin" <LAustin@tafegippsland.edu.au>  
**Sent:** Mon, 11 Jul 2022 16:58:15 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Cc:** "'Donna.Hallam@quantum.org.au'" <Donna.Hallam@quantum.org.au>  
**Subject:** Submission - Proposed Sale of Hazelwood House Churchill  
**Attachments:** Letter of Support\_Quantum Support Services Purchase of  
HazelwoodHouse\_TAFE Gippsland.pdf, Letter of Support\_Quantum Support Services Foyer\_TAFE  
Gippsland.pdf

OFFICIAL

Good afternoon,

Please find attached a letter of support for the proposed sale of Hazelwood House, Churchill to Quantum Support Services.

Also attached is the original letter provided to Quantum indicating TAFE Gippsland's support in its application for funding to support this important project in establishing a Youth Foyer in the Latrobe Valley.

Regards,

Linda

**Linda Austin**  
Interim Chief Executive Officer

**TAFE Gippsland**  
PO Box 3279 GMC Morwell VIC 3841  
M 0418 595 986 | T 0356 626 820  
[laustin@tafegippsland.edu.au](mailto:laustin@tafegippsland.edu.au)  
[www.tafegippsland.edu.au](http://www.tafegippsland.edu.au)

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opens this message at his or her own risk.



We acknowledge the traditional Aboriginal owners of country and their organisations throughout Victoria and Gippsland, their ongoing connection to this land and we pay our respects to their culture and their Elders past, present and emerging. TAFE Gippsland is committed to creating a safe and inclusive environment for all its students and staff.

National Provider Number 0417

OFFICIAL



11 July 2022

**RE: Submission – Proposed sale of Hazelwood House, Churchill**

To Whom It May Concern,

I am pleased to provide this additional letter of support for the proposed purchase of Hazelwood House as the future site enabling Quantum Support Services to establish Inner Gippsland's first youth foyer in Churchill.

The proposed refurbishment of Hazelwood House represents a significant opportunity for young people experiencing homelessness or housing instability in the Inner Gippsland region to find a safe and secure medium-term home, offering them a path out of crisis.

We know that in 2021 alone, over 800 young people sought housing support from specialist homelessness services across Inner Gippsland. This crisis is driven by the highest rise in rental prices in the state, coupled with a severe shortage of crisis and transitional housing options for young people.

We look forward to working with Quantum Support Services and other community-based organisations in the region to support youth-specific housing, as well as a range of support services, in the Inner Gippsland region.

TAFE Gippsland supports Quantum Support Services in its acquisition for this important project and looks forward to a successful outcome to benefit the young people of Inner Gippsland.

Should you require further information, please do not hesitate to contact us at [ceoffice@tafegippsland.edu.au](mailto:ceoffice@tafegippsland.edu.au) noting TAFE Gippsland do not wish to follow up in person at a future Council Meeting.

A handwritten signature in blue ink, appearing to read "Linda Austin".

Ms Linda Austin

**Interim Chief Executive Officer****TAFE Gippsland**

1300 133 717  
PO Box 3279 GMC, Morwell 3841  
[enquiries@tafegippsland.edu.au](mailto:enquiries@tafegippsland.edu.au)  
[tafegippsland.edu.au](http://tafegippsland.edu.au)  
ABN 42 624 574 808 | National Provider Number 0417

Leongatha  
Warragul  
Yallourn  
Morwell  
Traralgon  
Sale  
Bairnsdale  
Forestec  
Lakes Entrance | Seamec

OFFICIAL



18 February 2022

**RE: Letter of Support for Inner Gippsland's First Youth Foyer**

To Whom It May Concern,

I am pleased to provide this letter of support for the proposal led by Quantum Support Services to establish Inner Gippsland's first youth foyer at Hazelwood House, Churchill.

The proposed refurbishment of Hazelwood House represents a significant opportunity for young people experiencing homelessness or housing instability in the Inner Gippsland region to find a safe and secure medium-term home, offering them a path out of crisis.

We know that in 2021 alone, over 800 young people sought housing support from specialist homelessness services across Inner Gippsland. This crisis is driven by the highest rise in rental prices in the state, coupled with a severe shortage of crisis and transitional housing options for young people.

We look forward to working with Quantum Support Services and other community-based organisations in the region to support youth-specific housing, as well as a range of support services, in the Inner Gippsland region.

TAFE Gippsland supports Quantum Support Services in its application for capital funding for this important project and looks forward to a successful outcome to benefit the young people of Inner Gippsland.

Should you require further information, please do not hesitate to contact us at [ceooffice@tafegippsland.edu.au](mailto:ceooffice@tafegippsland.edu.au).

A handwritten signature in black ink, appearing to be "Grant Radford".

Mr Grant Radford  
**Chief Executive Officer**  
**TAFE Gippsland**

1300 133 717  
PO Box 3279 GMC, Morwell 3841  
[enquiries@tafegippsland.edu.au](mailto:enquiries@tafegippsland.edu.au)  
[tafegippsland.edu.au](http://tafegippsland.edu.au)  
ABN 42 624 574 808 | National Provider Number 0417

Leongatha  
Warragul  
Yallourn  
Morwell  
Traralgon  
Sale  
Bairnsdale  
Forestec  
Lakes Entrance | Seamec



**From:** "Margaret Guthrie" <mgcdca@hotmail.com>  
**Sent:** Sun, 10 Jul 2022 18:56:09 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission - Proposed sale of Hazelwood House, Churchill  
**Attachments:** CDCA Submission re Sale of Hazelwood House.pdf

Hello.

Please find attached a Submission to Council from Churchill & District Community Association (CDCA) on the proposed sale of Hazelwood House.

Regards,  
Margaret Guthrie  
President, CDCA  
0407 876 443





Mr. Steven Piasente  
Chief Executive Officer  
Latrobe City Council

8<sup>th</sup> July 2022

Dear Mr Piasente,

**SUBMISSION: PROPOSED SALE OF HAZELWOOD HOUSE, CHURCHILL**

Churchill & District Community Association (CDCA) is pleased that the future occupation and use of Hazelwood House is under consideration by Council.

**Support for the Proposed Sale**

Local sentiment is that this facility should not lie vacant, perhaps become derelict and be an on-going wasted resource.

CDCA supports the proposed sale to Quantum Support Services for use as a supported accommodation facility for homeless & vulnerable youth. Such a residential program to service the Gippsland community is appropriate and sorely needed. CDCA also believes that QSS, as a not-for-profit locally based organisation is well placed to deliver this program, having a wealth of experience working within the sector.

It should be noted, however, that CDCA and many in the Churchill community have formed the view that Council has provided us with little option but to support the proposed sale. If the sale does not proceed, then the facility remains vacant.

We understand that the second proposal put to Council was from a Private Developer for a Retirement Village on the site. There are many people in Churchill who see a retirement facility in Churchill as highly desirable. CDCA considers that the sale of Hazelwood House to a commercial developer is not in keeping with the former 'community' (not-for-profit) nature of the facility, but not everyone holds this view.

**Recommendation: that Council proceeds with the sale of Hazelwood House to Quantum Support Services**

**Community Engagement Process**

CDCA wishes to express our frustration with the lack of community engagement regarding the future of Hazelwood House since Council took ownership. There has been little information forthcoming, and even less engagement with this community, over what is viewed as an important local issue, despite our on-going inquiries.

We believe Council could easily have communicated with the Churchill and district community about the steps involved in the process of finding a new owner and suitable purpose for the facility. It seems that, only now that Council is poised to make a decision, are we being provided with critical information such as the document "Expression of Interest LCC-10351' (Purchase of Hazelwood House), which outlines process and Evaluation Criteria for selecting a suitable proposal.

**CHURCHILL AND DISTRICT COMMUNITY ASSOCIATION** –Post Office 191 CHURCHILL VICTORIA AUSTRALIA 3842



Community engagement during this Expression of Interest phase could well have meant that community members better understood the process, the types of proposals that would be viewed favourably and how Council ultimately arrived at its preferred option.

CDCA believes that, given that there were two proposals put before Council, the community should have been consulted on the proposed use before a decision was reached to proceed with a preferred option. We understand that “Commercial-In-Confidence” requirements mean that Council cannot fully disclose all proposed contract details and that there are rules governing the sale of local government land/assets, but a broad ‘Option 1 & Option 2’ approach could have been put to this community for comment.

We are also of the view that the call for public submissions and/or objections has been short of a ‘best practice’ approach. We note that the public drop-in information session at Churchill Hub (06/07/22) was poorly advertised at short notice (CDCA was not notified) and that the closing date for public submissions falls some 5 days later (11/07/22). CDCA has received numerous complaints that the time-frame was inadequate to consider the proposal in detail and then make a considered submission.

**Recommendation: that community engagement be an early feature of any future project or process of major concern to the local community**

#### **Expenditure of Sale Proceeds**

CDCA supports Council’s condition that the proceeds of the sale be expended in Churchill and calls on Council to develop a community engagement process to determine the priorities of expenditure.

No single group should determine what Council spends the sale proceeds on, nor should the proceeds be utilised for capital works projects that Council already has a view to undertaking or has identified as a pressing need. This community should be engaged to ascertain where the funds are spent.

Funds from the proposed sale ought to be utilised for maximum ‘whole-of-community benefit’ on some project(s) that our local community will embrace, just as this community embraced the need for the original Hazelwood House aged care facility and worked so hard to fund-raise and complete that project for the benefit of all.

**Recommendation: that Council implements a community engagement process to determine where sale proceeds should be spent.**

CDCA wishes to address Council in support of this submission when the matter is considered at a future Council meeting. We look forward to notification of this date.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Guthrie', is written over a light blue horizontal line.

Margaret Guthrie  
President, CDCA  
0407 876 443

**CHURCHILL AND DISTRICT COMMUNITY ASSOCIATION** –Post Office 191 CHURCHILL VICTORIA AUSTRALIA 3842

**From:** "Sandy Hegarty" <sandy@latrobeyouthspace.org.au>  
**Sent:** Mon, 11 Jul 2022 22:57:04 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission – Proposed sale of Hazelwood House, Churchill  
**Attachments:** Letter of Support Quantum - LC 080722.pdf

To whom it may concern,

Please find attached a letter of support in favour of Quantum Support Service's proposal to develop a Youth Foyer at Hazelwood House, Churchill.

Kind Regards,

**Sandy Hegarty (She/Her),**  
**Executive Officer**



**Latrobe Youth Space Inc.**  
**Address: 497B Princes Drive, Morwell 3840**  
**Phone: +61 456 001 137**  
**Reception: +61 484 777 972**  
**Email: sandy@latrobeyouthspace.org.au**  
**Website: <https://www.latrobeyouthspace.org.au/>**  
**ABN: 88 205 852 966**  
**Office Hours: Mon - Fri 9am-3pm**



We acknowledge the traditional Aboriginal owners of country throughout Victoria and pay our respect to them, their culture and their Elders past, present and future.

This email and any attachments are proprietary and confidential and are intended solely for the use of the individual to whom it is addressed. Any views or opinions expressed are solely those of the author and do not necessarily reflect or represent those of Latrobe Youth Space Inc..

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08/07/2022

Dear Latrobe City Council,

**Letter of Support: Latrobe Youth Space Inc. Support Quantum to develop Hazelwood House for Inner Gippsland's First Youth Foyer**

I provide this letter on behalf of LYS Inc. in support of Quantum Support Services to establish Inner Gippsland's first youth foyer at Hazelwood House, Churchill.

The proposed refurbishment of Hazelwood House represents a significant opportunity for young people experiencing homelessness or housing instability in the Inner Gippsland region to find a safe and secure medium-term home, offering them a path out of crisis.

LYS Inc. is acutely aware of the need for greater youth-specific housing, in response to a housing crisis in the Inner Gippsland region. It is our understanding that this crisis is driven by the highest rise in rental prices in the state, coupled with a severe shortage of crisis and transitional housing options for young people.

LYS Inc. continues to work collaboratively with Quantum Support Services on this proposal, and other solutions for youth homelessness in the region. We support Quantum Support Services in its bid to refurbish Hazelwood House and look forward to a successful outcome to benefit the young people of Gippsland.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Sandy Hegarty".

**Sandy Hegarty (She/Her),**  
**Executive Officer**  
Phone: +61 456 001 137  
Email: [sandy@latrobeyouthspace.org.au](mailto:sandy@latrobeyouthspace.org.au)

497B Princes Drive  
Morwell, VIC 3840

[hello@latrobeyouthspace.org.au](mailto:hello@latrobeyouthspace.org.au)

[www.latrobeyouthspace.org.au](http://www.latrobeyouthspace.org.au)

INC: A01088064H ABN: 88 205 852 966

Youth-led, adult guided.

***"nothing about us, without us"***

**From:** "Lisa Price" <LisaPrice@bblllen.org.au>  
**Sent:** Wed, 06 Jul 2022 12:34:56 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** Submission – Proposed sale of Hazelwood House, Churchill  
**Attachments:** Latrobe City Submission.docx

Good Afternoon.

Please find attached a letter of support for the purchase of Hazelwood House by Quantum Support Services to establish a Youth Foyer.

Regards,  
Lisa

**Lisa Price | Executive Officer**

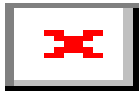
Email: [lisaprice@bblllen.org.au](mailto:lisaprice@bblllen.org.au)

P: 03 5633 2868 M: 0417 282 596

Trafalgar Business Centre – 107 Princes Highway, Trafalgar

PO Box 415, Trafalgar Vic.3824

[www.bawbawlatrobellen.com.au](http://www.bawbawlatrobellen.com.au)





107 PRINCES HIGHWAY | PO BOX 415  
TRAFALGAR VICTORIA 3824  
(03) 5633 2868  
ADMIN@BBLLEN.ORG.AU  
WWW.BAWBAWLATROBELLEN.COM.AU

6/07/22

Attention: Latrobe City Council.

RE: Baw Baw Latrobe LLEN's Support for Inner Gippsland's First Youth Foyer at Hazelwood House Churchill.

I am pleased to provide this letter of support, on behalf of the Baw Baw Latrobe LLEN (Local Learning and Employment Network) for the proposal led by Quantum Support Services to establish Inner Gippsland's first youth foyer at Hazelwood House, Churchill.

The proposed refurbishment of Hazelwood House represents a significant opportunity for young people experiencing homelessness or housing instability in the Inner Gippsland region. This proposal represents an opportunity for young people to find a safe and secure medium-term home, offering them a path out of crisis and hope for their future.

We continue to work with Quantum Support Services and other community-based organisations in the region to advocate for greater youth-specific housing, in response to a housing crisis in the Inner Gippsland. In 2021 alone, over 800 young people seek housing support from specialist homelessness services across Inner Gippsland. This crisis is driven by the highest rise in rental prices in the state, coupled with a severe shortage of crisis and transitional housing options for young people.

Baw Baw Latrobe LLEN commends Quantum Support Services on this proposal, and their ongoing work to find solutions for youth homelessness in the region. We support Quantum Support Services in its bid for this important project and look forward to a successful outcome to benefit the young people of Inner Gippsland.

Yours faithfully

A handwritten signature in black ink that reads 'Lisa Price'.

Lisa Price  
Executive Officer

**From:** "Irasmus1@aussiebb.com.au" <Irasmus1@aussiebb.com.au>  
**Sent:** Fri, 08 Jul 2022 18:30:24 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Subject:** submission -Hazelwood House  
**Attachments:** new proposal.rtf

new proposal enclosed

Attended meeting between LCC and Quantum at the Churchill Hub On 06/07/2022 to have questions answered by Quantum and LCC but no Councilors found the decency to turn up for meeting , Council sent staff members that were very polite and answered Questions put to them but with limited input to the sale of property could not provide the answers that Councilors who made descions on sale of Hazelwood House would have been able to answer

Question asked

Q 1 Did LCC pay Benetas the same as original purchase price paid by Benetas \$1.00

A Councilor would have to answer

Q 2 Was property advertised for sale with Agencies dealing in real estate of this type not just local real estate agencies

A LCCs Proposed Sale of Hazelwood House document apart from that not sure

Q 3 what was LCCs asking price or Reserve price

A could not supply an answer need to ask Councilors

Q 4 Why didn't Council hold a community meeting to discuss the sale of property before making decision behind closed doors As this property was built through monies raised by the Lions Club and Community fund raisers .Would seem like community being locked out by LCC [why]

Q 5 As this was a purpose built facility for Aged Care why didn't Council look to aged care requiremnts ,Respite , Palliative care , this we believe was rejected by Council at closed door meet even though it had been suggested as Council is aware of it seems that aged care is well down on Councils agenda

A Would need to speak to Councilor

Wether or not property would suit Quantum there are limited opportunities for Employment part time or full time for local Youth that need an income while doing studies with out adding to the problem as exists now

Having spoken to Quantum representitives this Youth Foyer as it's called would far better suited to larger towns where their ideas could maybe more likely to succeed .Asked Quantum why they would place Youths that have suffered family abuse in a hostel type accommadation when they need to be experiencing a caring Family life

When Quantum asked what checks are done on residents before they are given accommadation , none because over age of 16 no Police checks are allowed but they have to sign a residency type of document with conditions attatched ,when asked do you really know these Youths back ground was told document was good guide to resident even though Quantum's Youth age is from 16 to 25 .All though we know no system is perfect this one leaves a lot to be desired

A nother concern is we have a Police Station only manned through the day if lucky not at night if police



needed at night you are told dial 000 if lucky when you get through police will arrive some time not police fault lack of Local and State Government public concern

If as Quantum states in their papers that they will have costings of \$13 MILLION why dont they purchase land in suitable location and build from ground up what they need or is the unknown offer from LCC that appears to be not disclosable to good

This sale to Quantum should be stopped until advertised better than has been from what we are told seems Quantum with the amount of work on redesign and additional buildings started well before some dates mentioned in sale proposals

LAURIE RASMUS

Ph

**From:** "Irasmus1@aussiebb.com.au" <Irasmus1@aussiebb.com.au>  
**Sent:** Sun, 10 Jul 2022 19:47:06 +1000  
**To:** "Latrobe Central Email"  
<LatrobeCity@latrobe.vic.gov.au>; "Latrobe@Latrobe.vic.gov.au" <Latrobe@Latrobe.vic.gov.au>  
**Subject:** "Submission-Proposed sale of Hazelwood House Churchill"  
**Attachments:** Document.rtf, Lorraine resubmission.rtf

re - submission enclosed

Re - Submission sale of Hazelwood House Churchill

I attended a meeting on 06/07/2022 between LCC and Quantum if you think my letter to Council is rude no Councilors had the decency to attend to answer questions regarding sale . Only Office Staff ,community asked for a public meeting to have questions answered regarding sale The people of Churchill raised the money to build Hazelwood House for AGED CARE facility not to be sold off for profit to wave a lollipop to Churchill people to pay for facilities that would normally come from council funding , does this free up Council monies for Churchill to be spent in Morwell and Traralgon . I believe Council knew when they purchased Hazelwood House from Benetas for supposed \$1.00 , that the Andrews Government [a Government with little thought for LV ] would take the opportunity to fund Quantum to purchase the Building it seems that Quantum was already Councils preferred option before any notification to Churchill Community about sale .it appears Council made no real effort to consider Palliative Care or Respite

Councilors are elected to represent people in LCCs Wards . Why hasn't Council considered the already high Crime rate in the area 2nd highest in Vic do Council get Medals for wanting to bring an establishment that will add another 40 Mixed Sex and Youth aged according to Quantum in the 16 - 25 age group [if not i will get them made myself ] with out Police checks and no family back ground checks on reason for being homeless this is with the exception of youth from family violence issues ,with out Quantum being able to make Police checks due to being over 16 years of age Hostel could become a haven for undesirables due to being generally uncontrollable at home , violent, drug users , pedophilia not a good situation around genuine homeless Youth . Can Council or Quantum give success rate of these Youth that go back to school and find jobs from these Quantum hostels. With all the work available as stated by Government figures , why are 19 - 25 classed as youth ,there are courses and job agencies where this age group would be better served , centre link have services available to these adults

Churchill does not need this Quantum deal as no employment to cater for more youth would be better suited to larger towns Traralgon or Morwell more facilities and employment opportunities

And i believe if Quantum succeed in the purchase the monies should be directed to Palliative Care to assist in purchase of suitable facility for end of life patients where visiting is not affected by outside influences that hospitals use to stop visitors needed at those moments

This sale should be stopped until property is given more exposure to possible buyers

Lorraine Rasmus

Mobile Ph

**From:** "Corine Noblet" <Corine.Noblet@education.vic.gov.au>  
**Sent:** Wed, 13 Jul 2022 13:07:46 +1000  
**To:** "Latrobe Central Email" <LatrobeCity@latrobe.vic.gov.au>  
**Cc:** "Anthony Rodaughan" <Anthony.Rodaughan@education.vic.gov.au>  
**Subject:** Submission – Proposed sale of Hazelwood House, Churchill  
**Attachments:** Proposed Sale of Hazelwood House Submission 13072022.pdf

Good afternoon,

Please find attached Kurnai College's letter of support for the proposal to sell Hazelwood House to Quantum Support Services.

We hope that our submission is taken into consideration in your decision making.

Kinds regards,

**Corine Noblet | College Principal Assistant**  
[corine.noblet@education.vic.gov.au](mailto:corine.noblet@education.vic.gov.au)



**Kurnai College**

Office: (03) 5132 3800  
53 Northways Road, Churchill VIC 3842  
PO Box 3411 Morwell Business Centre VIC 3841



*I acknowledge the Traditional Owners of the Land on which I live and work, of the Braiakaulung people of the Gunaikurnai nation and pay my respects to their Elders past, present and future.*

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### Submission to Latrobe City Council re Item 17.2 Proposed Sale of Hazelwood House, 59-91 Philip Parade Churchill (Lot 5 on PS309 825 contained in Certificate of Title Volume 10351, folio 487) to Quantum Support Services

Kurnai College is highly supportive of the proposal by Latrobe City Council to sell the currently vacant Hazelwood House to Quantum Support Services for the provision of “affordable and sustainable medium-term” youth accommodation, based on local needs.

For many years Kurnai College has been advocating for the need for such a facility to be established in the Latrobe Valley to support young people in need. Many of our current and past students have struggled to find safe, affordable, and stable accommodation which has been needed for a variety of reasons. This has at times inhibited their ability to complete their education or to be able to undertake employment of any type. It has also exacerbated their state of mental health and wellbeing and can often lead to a downward spiral which becomes much more costly to both the individual and society in general. Providing timely access to accommodation such as that proposed through the sale of Hazelwood House to Quantum Support Services will help alleviate the situation as well as reduce the stress on the current housing and rental market which is consistently out of reach for this cohort.

We firmly believe that the location of the Hazelwood House facility lends itself well for the purposes proposed by Quantum Support Services and in essence, is in keeping with the previous uses or activity on site.

We understand that it would operate under a similar model to that of other Youth Foyer facilities being successfully run in other regional areas of Victoria where there is ongoing support for those housed with links to education, training, employment, and social services. It is also understood that at similar facilities in the State the residents often volunteer in the community and contribute in other ways to local causes. All of this would add value to the Churchill and district.

The location of the facility is close to other key services such as education in Kurnai College and Federation University as well as being 10 minutes from GippsTAFE. It is also close to public transport with the areas being well serviced by local buses which link into the major towns. Churchill Shopping Centre is within a short walking distance as is access to a number of medical, health, sporting, recreational and leisure options.

Other important considerations are:

- Youth accommodation and housing options for youth has always been very minimal in the area and extremely difficult to obtain. Now with the pandemic, the rise in rent



and the overwhelming demand for rentals this has pushed young people in the Latrobe Valley even further away from potential housing options.

- Our students don't always meet the criteria for State Government housing assistance/involvement; however, this does not mean that they are not in legitimate need of alternative housing.
- Due to lack of housing options for our students often end up in unsafe and unsuitable situations such as couch surfing, residing in overcrowded and unsafe situations and sleeping rough. Or if students remain where they are they can become unsafe as a result and mental health issues are a major concern.
- It is acknowledged by the social services sector that unstable accommodation often leads to issues such as considerable absences at school and disengagement, mental health concerns or an exacerbation existing mental health concern, financial problems (unable to meet Centrelink requirements and unable to gain Centrelink in the first place and no income)
- Kurnai College staff regularly deal with and assist young people with housing issues, but it is difficult to quantify the level of need.
- Homelessness is a separate issue to those in need of suitable housing/accommodation. The students that are actually homeless are far fewer than those who are still at home BUT it is not suitable/desirable for them to be there and negatively impacting their lives and legitimately need alternative options.
- Having emergency and medium-term accommodation options not only in the Latrobe Valley but so close to our College would help our students achieve far better outcomes and give us a much better chance at keeping students engaged with their education as the longer they are floating around with unstable accommodation the more likely we are to lose them.

Finally, Kurnai College would be very keen to work in partnership with Quantum Support Services in the development of the project.

# PROPOSED SALE AND POTENTIAL PURCHASE OF LAND - MOUNTAIN GLEN DRIVE, MOE

## PURPOSE

In relation to three parcels of vacant land at Mountain Glen Drive Moe jointly owned by Council and the Department of Treasury and Finance Victoria:

- to agree to commence the process to sell all three parcels of land; and
- if the parcel of land substantially covered by native vegetation is not able to be sold, for Council to purchase the share of the parcel not already owned by Council if this can be done at minimal cost.

## EXECUTIVE SUMMARY

- Council owns vacant land located at Mountain Glen Drive, Moe (“the land”) in equal shares with the Department of Treasury and Finance Victoria (“DTF”). DTF wishes to dispose of the land either via public auction or a tender process and has offered to lead and administer the process in this instance.
- The land is made up of three parcels; one parcel is currently zoned General Residential Zone, and the other two abutting parcels are currently zoned Industrial 3 (Attachment 1).
- DTF leads and administers the disposal of land for many State Government Departments such as the Department of Transport.
- After internal referral and review, the land is not required for current or reasonably anticipated Council community purposes.
- As is set out in more detail below, one parcel of land is densely covered by native vegetation and in light on the limitations this poses for development may realistically need to be retained by Council, if it can do so by agreement with DTF at no or minimal cost to Council.
- Should Council decide to sell the land, it will be necessary for public notice to be given inviting comment on the proposal in accordance with the *Local Government Act 2020*.

## OFFICER’S RECOMMENDATION

### That Council:

- 1. Gives public notice of its intention to sell in a process led and determined by the Department of Treasury and Finance Victoria (“DTF”) 3 parcels referred to in the Report and invites public submissions on the proposal;**
- 2. Considers at a future Council Meeting any submissions received that are opposed to the proposed sale of the land; or**
- 3. If no submissions opposed to the sale of the land are received,**

**authorises the Chief Executive to do all things required to sell and transfer the land following a sale process led and determined by DTF; and**

- 4. If the parcel of land referred to as lot 4 in the Report (“Lot 4”) is unable to be sold, authorises the Chief Executive Officer to conclude an agreement with DTF for Council to buy Lot 4 for no more than \$10,000.**



## BACKGROUND

Council owns land located at Mountain Glen Drive, Moe, in equal shares with DTF. DTF wishes to dispose of the land either by public auction or a tender process and has offered to lead and administer the sale process. The land is made up of three vacant parcels, one parcel zoned General Residential Zone and the other two abutting parcels zoned Industrial 3 (Attachment 1).

This land is described as per below:

<b>Plan of Subdivision</b>	<b>Certificate of Title details</b>	<b>Ownership as to 1 of a total of 2 equal undivided shares</b>
Lot 2 on PS314688G	Land contained in Certificate of Title Volume 10460 Folio 737	Assistant Treasurer (DTF)
Lot 2 on PS314688G	Land contained in Certificate of Title Volume 10460 Folio 738	Latrobe City Council
Lot 3 on PS314688G	Land contained in Certificate of Title Volume 10461 Folio 840	Assistant Treasurer (DTF)
Lot 3 on PS314688G	Land contained in Certificate of Title Volume 10461 Folio 841	Latrobe City Council
Lot 4 on PS314688G	Land contained in Certificate of Title Volume 10461 Folio 842	Assistant Treasurer (DTF)
Lot 4 on PS314688G	Land contained in Certificate of Title Volume 10461 Folio 843	Latrobe City Council

DTF leads and administers the disposal of land for many State Government Departments such as the Department of Transport. With this experience, DTF considers it will be necessary for the two abutting parcels of land to be rezoned from Industrial to General Residential Zone prior to the sale of land to achieve maximum land value potential.

Lot 4 on PS314688G is densely covered with native vegetation and therefore it is highly likely it would not be able to be sold and support would not be provided by the Government Land Standing Advisory Committee or the Department of Environment, Land, Water and Planning (DELWP) to rezone this land for residential purposes. The likely realistic option for Lot 4 on PS314688G is for it to be rezoned to a fit-for-purpose zone such as the Public Conservation and Resource Zone (PCRZ) and vested in Council.

This vesting of land will need to be negotiated with DTF with the knowledge that the site has little monetary value but is of environmental/ecological value. Council would only be offering low or ideally no financial compensation to DTF for this land.

Before a rezoning and sale of land process can commence there are a number of outstanding matters to be ascertained, including flood study, bushfire analysis and native vegetation matters which will be undertaken by DTF on behalf of the two land owning parties (Council and DTF).

Further, the rezoning of land will need to be considered by the Government Land Standing Advisory Committee. They will advertise the proposal on the Engage Vic page and then collect submissions, facilitate a hearing process and ultimately provide a report to the Minister for Planning that contains its recommendations on the rezoning proposal.

After internal referral and review, the proposed sale of the land in due course via either public auction or tender process led and administered by DTF is considered reasonable as the land is not required for current or reasonably anticipated Council community purposes.

DTF consider the land should be listed on the First Right of Refusal (FROR) platform for other government agencies to express an interest before the land is offered to the public.

Should the proposed sale proceed, in due course once the necessary rezoning and sale of land costs are deducted, the proceeds of the disposal (other than any amount paid by Council to purchase lot 4) are to be divided equally between Council and DTF.

## ANALYSIS

- Council owns land located at Mountain Glen Drive, Moe, in equal shares with the DTF. DTF wish to dispose of the land either by public auction or a tender process and have offered to lead and administer the process in this instance.
- After internal referral and review, the proposed sale of the land is considered reasonable as the land is not required for current or reasonably anticipated Council community purposes.
- DTF leads and administers the disposal of land for many State Government Departments such as the Department of Transport. With this experience, DTF is well positioned to lead the sale process.
- It is highly likely that one of the parcels of industrial land will not be able to be sold and rezoned for residential purposes due to the dense native vegetation located on the entirety of the site. As a result, the realistic option is for the land to be rezoned for public use, such as Public Conservation and Resource Zone (PCRZ) and vested in Council. This is consistent with the process that will need to be entered under the Government Land Planning Service who ensure that appropriate planning provisions are in place on government land.
- Should lot 4 not be able to be sold, it is proposed that Council would enter into negotiations to purchase lot 4 for up to \$10,000. This is because it is a maintenance burden on Council and the land is not required under our Public Open Space Strategy but recognising the difficulty DTF may have in simply gifting the land to Council.

## RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
<p>COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)</p> <ul style="list-style-type: none"> <li>• Sale is delayed to by the legislative requirements associated with Council sale of land</li> </ul>	Possible	Councils Solicitor to be engaged in the sale processes. Officers will inform the Chief Executive Officer and Council of the process progresses
SERVICE DELIVERY	NIL	
<p>FINANCIAL</p> <ul style="list-style-type: none"> <li>• The sale of land at this time may not achieve maximum potential profit</li> <li>• If we do not sell the land in the short term, land prices may decline and we will not achieve profit</li> </ul>	<p>Possible</p> <p>Possible</p>	<p>Decline to proceed with the rezoning and sale of the land, with the potential sale in the future</p> <p>Begin the sale now</p>
<p>STRATEGIC (INC REPUTATIONAL)</p> <ul style="list-style-type: none"> <li>• Is Council rezoning land for residential purposes that has identified flood risk</li> <li>• If Council do not rezone the land from industrial for residential purposes as per the Moe/Newborough structure plan, industrial land uses might be established creating future land use conflicts</li> </ul>	<p>Possible</p> <p>Possible</p>	<p>As a part of the strategic justification process, DTF will need to provide a suite of planning reports that strategically justify the rezoning of the land</p> <p>To rezone the unvegetated land for residential purposes as per the Moe/Newborough structure plan and the vegetated land to public zoning</p>

RISK	LIKELIHOOD	TREATMENT
<ul style="list-style-type: none"> <li>Multiple estates/existing residential land across Moe and Newborough which are yet to be developed. This may impact of the availability</li> </ul>	Possible	Market the property to the best of our ability for a successful sale

#### CONSULTATION

Should the proposed sale of land proceed, public notice will be given in accordance with section 114 of the *Local Government Act 2020* and any submissions that are received would be considered at a future Council meeting.

#### COMMUNICATION

Section 114 of the *Local Government Act 2020* details the requirements for the sale or exchange of land as follows:

- Council must publish a notice of intention to sell land at least four weeks prior to the sale on Councils website.
- Council must undertake a community engagement process in accordance with its community engagement policy.
- Council must obtain an independent valuation from a licensed valuer not more than six months prior to the sale or exchange.

Please note: in this instance the valuation will be obtained by DTF from the Valuer Generals Office rather than Council sourcing same.

#### DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

NIL

### **Cultural**

NIL

### **Health**

NIL

### **Environmental**

An environmental assessment of the land will be undertaken by DTF as a part of the administration process prior to rezoning being able to be considered.


### **Economic**

The proceeds from the sale of land will be an addition to Council's revenue.

### **Financial**

Financial risk is either positive or negative. If Council were to hold the land and sell at a later time, doing so may deliver a higher or lower price.

### **Attachments**

1 [↓](#).  Attachment 1 - The parcels of land and corresponding Planning Zones

# 9.2

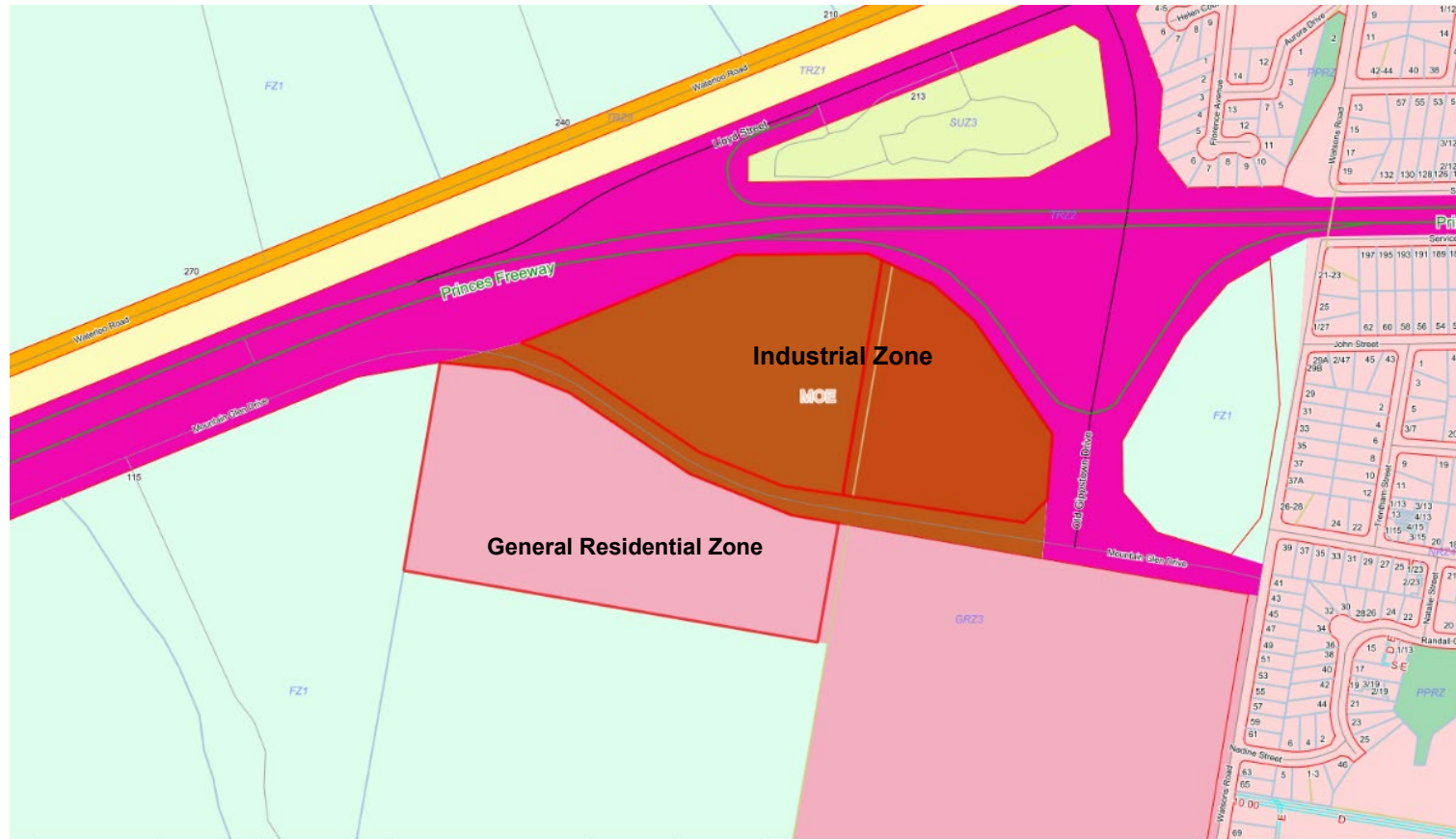
## Proposed Sale and Potential Purchase of Land - Mountain Glen Drive, Moe

- 1 Attachment 1 - The parcels of land and corresponding  
Planning Zones ..... 111



Pictured above: The three (3) parcels of land in question boarded in a thick red line.





Pictured above: The three (3) parcels of land in question boarded in a thick red line and the corresponding Planning Zones *Industrial Zone* and *General Residential Zone* listed.



# CEO DELEGATION TO AWARD CONSTRUCTION CONTRACTS FOR THE KERNOT HALL UPGRADE AND MOE REVITALISATION STAGE 2 PROJECTS

## PURPOSE

To seek from Council CEO delegation to award contracts to construct Kernot Hall upgrades and Stage two of the Moe Revitalisation project.

## EXECUTIVE SUMMARY

### Kernot Hall upgrade

- \$2.5 million in funding has been provided through the Community Infrastructure Loans Scheme (CILS) for upgrades and renewal of Kernot Hall in Morwell
- Council has entered into a funding agreement with the Victorian government for the CILS funding and the project completion deadline in the 23 September 2023.
- The final design for Kernot Hall was endorsed by Council at its Ordinary Council meeting held on 4 July 2022.
- The tender for construction has now been advertised and will close on 1 September 2022.
- As the project is over \$1 million, the value of the contract requires approval by a decision of Council.
- Latrobe City Council is currently experiencing escalating projects costs due to a 10 – 15% increase in building construction costs. In response to this issue, it is proposed that the Council delegate the Chief Executive Officer with delegation to award the Kernot Hall project to its original budget of \$2.5 million plus an additional 10%, a total of \$2.75 million.
- Based on Council's procurement timeframes, this contract is planned to be presented to 5 November 2022 Ordinary Council meeting.
- The activity schedule with the Victorian government requires Council to have a contractor in place and construction works commencing by the 1 November 2022.
- CEO delegation to award this contract is being sought to ensure that a contractor can be appointed prior to 1 November 2022.

### Moe Revitalisation Stage 2 project

- \$7.5 million in funding has been provided through the CILS for the construction of a youth precinct, including public open space in George Street in Moe.

- The original concept plan for both stage 1 and stage 2 of the Moe Revitalisation Project was endorsed by Council in 2013.
- The detailed design for the stage 2 project was presented and endorsed by the Moe Revitalisation Stage 2 Project Reference Group at its monthly meeting held on 4 August 2022.
- The tender for the construction of the project was advertised on 11 August 2022 and will close on 8 September 2022.
- As the project is over \$1 million, the value of the contract requires approval by a decision of Council.
- Latrobe City Council is currently experiencing escalating projects costs due to a 10 – 15% increase in building construction costs. In response to this issue, it is proposed that the Council delegate the Chief Executive Officer with delegation to award the Moe Revitalisation Stage 2 project to its original budget of \$7.5 million plus an additional 10%, a total of \$8.25 million.
- Based on Councils procurement timeframes, this contract is planned to be presented to the 5 November 2022 Ordinary Council meeting.
- The activity schedule with the Victorian government requires Council to have a contractor in place and construction works commencing by the 1 November 2022.
- CEO delegation to award this contract is being sought to ensure that a contractor can be appointed prior to the 1 November 2022.

#### OFFICER'S RECOMMENDATION

**That Council delegates to the Chief Executive Officer (CEO) the power to award the following contracts that are expected to exceed the CEO's financial delegation of \$1,000,000 including GST subject to the recommended tenders complying with Council's Procurement Policy:**

- **Kernot Hall Upgrades Stage 1**
- **Moe Revitalisation Stage 2**

## BACKGROUND

At the 11 November 2019 Council meeting Council resolved as follows.

*That Council:*

- 1. Endorse the action of officers to apply for a loan up to the value of \$10 million through the Community Infrastructure Loan Scheme for the construction of the Moe Revitalisation Project Stage 2 up to \$7.5 million and Kernot Hall Upgrade up to \$2.5 million:*
- 2. Provide Council with a report outlining the outcome of the application and future plans if successful.*

Following this decision, Latrobe City Council entered into a funding agreement with the Victorian government. The funding agreement for both projects require Council to complete construction of both project by 23 September 2023.

## ANALYSIS

The Activity Schedule, which is the project plan for both projects, requires Latrobe City Council to have a contractor appointed by 1 November 2022.

The previously endorsed master plans, consultation and engagement activities for the Moe Revitalisation Stage 2 Project Reference Group and the previous stakeholder engagement with the Latrobe Convention Centre Project Reference Group (Kernot Hall) has been used to inform and develop the detailed designs for both projects.

The detailed design for the Moe Revitalisation Stage 2 project has been reviewed and endorsed by the Project Reference Group at its monthly meeting held on 4 August 2022. The final design for the Kernot Hall upgrades was endorsed by Council at its Ordinary Council meeting held on 4 July 2022.

The procurement of both projects has now commenced. According to the Procurement timetable, and because both projects' value is over the CEO's delegation of \$1 million, both contracts are scheduled to be presented at the 5 November Ordinary Council Meeting.

To ensure that Council is complying with the terms of its funding agreement and agreed activity schedules for both projects a contractor must be appointed prior to 1 November 2022.

Therefore, to ensure meeting these timeframes, officers are seeking CEO delegation to award both contracts.

## RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)  Not complying with the Activity Schedule timeframes will mean that Council will need to amend the Activity Schedule	Likely	Providing delegation to the CEO will ensure that Council is able to comply with the terms and timeframes of the Activity Schedules

FINANCIAL		
Tender price is more than project budgets	Possible	Providing delegation to the CEO to award either contract to the project budget plus an additional 10% will reduce the risk of delays associated with the awarding of contracts.
Delay in awarding contracts is sent to Council for adoption	Likely	Providing delegation to the CEO will reduce the risk of delays associated with the time to award contracts.

## CONSULTATION

Extensive community consultation has been undertaken with both the Kernot Hall upgrade and the Moe Revitalisation Stage 2 projects.

The upgrades to Kernot Hall have been informed by a master plan, endorsed by Council and the previous project reference group, *Latrobe Convention Centre Project Reference Group*.

A community consultation session will take place at the Morwell Library on 31 August from 10 am to 1 pm. The project team will be available to answer questions and take feedback from community members. The project designs will be available to view and interested community members can register for project updates. This session has been advertised on Council's webpage, Facebook, and the Latrobe Valley Express Noticeboard.

With regards to the Moe Revitalisation project, both stage 1 (Moe Service Centre) and stage 2 (the Youth Precinct) have been subject to significant consultation and stakeholder engagement. The detailed design for this project has been endorsed by the Moe Revitalisation Stage 2 Project Reference Group.

Broad consultation was undertaken with the community at the Moe Service Centre on the 11 August 2022. The project team based themselves at the Moe Service Centre from 10 am to 6 pm for the community to provide feedback and answer questions about the project. The project designs were on display and interested community members could sign up for regular project updates. This session was advertised on Council's webpage, Facebook, and the Latrobe Valley Express Noticeboard.

## COMMUNICATION

Both projects have a communication plan which details the steps to be undertaken by Council during the planning and delivery of the project. The Moe Revitalisation Stage 2 project also has a project reference group which provides advice to Council in relation to the project.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

Both projects have been planned for a long time, especially the Moe Revitalisation Project, which was endorsed by Council in 2013. The Kernot Hall upgrades follow on from planning undertaken in 2018. The community has an expectation that these projects will be constructed and delivered for use by them.

### **Cultural**

There are no known cultural impacts in relation to this report.

### **Health**

The Kernot Hall Upgrade project and the Moe Revitalisation Stage 2 project will provide new and improved infrastructure that will allow our community to engage in social, cultural, and physical activities, which in turn will improve the health and wellbeing of the community.

### **Environmental**

There are no known environmental impacts in relation to this report.

### **Economic**

Economic impacts have not been considered as part of this report.

### **Financial**

The \$7.5 million Moe Revitalisation – Stage 2 has been funded through a loan from the Victorian governments Community Infrastructure Loan Scheme.

The \$2.5 million Kernot Hall Upgrade has been funded from the same loan scheme

### **Attachments**

Nil

# LATROBE HEALTH ASSEMBLY FUNDING PROPOSAL

## PURPOSE

The purpose of this report is to gain Council approval for a partnership project with, and funded by, the Latrobe Health Assembly (the Assembly).

## EXECUTIVE SUMMARY

In early 2022 the Assembly approached Council to partner on a number of priority projects. After discussions between Council Officers and Assembly staff, Officers developed a project proposal for the Assembly's Creative Latrobe initiative which has been accepted by the Assembly Board.

- The Assembly have approved funding of \$300,000 for the Creative Latrobe initiative and are awaiting Council's acceptance of the funding.
- The proposed project would be funded by the Assembly and delivered by Council with support from the Assembly. The project has been designed to align with both Council's Living Well Latrobe Plan and the Assembly's Creative Latrobe project aims and wellbeing principles. It will be delivered in accordance with Council's Public Art Policy.
- The proposed project utilises a place making approach to co-design public art-based interventions at five sites across Latrobe City. The interventions would foster pride and build community ownership of public spaces, increase perceptions of safety and the utilisation of those spaces.
- The project, if approved, would commence in September 2022 and be delivered by March 2024.
- A Project Advisory Group would be established to guide the delivery of the project. The Group would ensure effective communication between project partners, ensure the project delivery aligns with Council and the Assembly's strategic objectives
- The membership of the Project Advisory Group would be formalised between Council and the Assembly. A proposed membership would include representatives from Latrobe City Council, Latrobe Health Assembly and other stakeholders such as Latrobe Regional Hospital Mental Health Services and Victoria Police. Council's membership would include officers from the Active and Liveable Communities and Creative Arts Teams.

## OFFICER'S RECOMMENDATION

**That Council partner with the Latrobe Health Assembly on the Creative Latrobe initiative and delegates the Chief Executive Officer to enter into a funding agreement to deliver the project.**

## BACKGROUND

In May – June 2021, the Assembly partnered with Urban Scale Initiatives to develop a range of potential interventions to improve health and wellbeing in Latrobe City. Creative Latrobe was identified as a priority project and the Assembly approached Council to partner on the project.

Council's project proposal aims to align with both Council's Living Well Latrobe Plan and the Assembly's Creative Latrobe project aims and wellbeing principles. The proposed project is built around the principle of co-design as an integral part of place making and building community ownership of public spaces. The intention is for project sites to be spread across Latrobe City, to foster pride in the place they are installed as well as connect to the broader Latrobe City community.

The project would be delivered in two stages. The first stage will include interventions in Churchill, Moe, Morwell and one of the small townships. The second stage will include a larger 'flagship' place making project in Traralgon incorporating the Whittakers Road and Bert Thompson Reserve underpasses. It is anticipated that this project will include art, lighting and infrastructure interventions. The first stage will be used to pilot the process and identify key learnings for implementation of the second stage.

Pending the support of Council, a contract will be negotiated with the LHA to develop an agreed set of measures, deliverables and outcomes for the project. It is anticipated that the project would commence in September 2022 with the first stage of interventions being completed by April 2023. The second stage would then be delivered by March 2024.

The funding request is for \$300,000 which includes staffing and community engagement costs as well as artist, materials, equipment and infrastructure costs. Council's in-kind contribution would include staff time, and design and project management costs in relation to Civil and Infrastructure works with the 'flagship' project.

The proposal is for the project to be funded by the Assembly and delivered by Council with support from the Assembly. A Project Advisory Group will be established to guide the delivery of the project. The purpose of the group will be to:

- Guide the delivery of the project and ensure effective communication between project partners.
- Ensure the project delivers outcomes aligned with the Living Well Latrobe Plan as well as the Creative Latrobe project aims and wellbeing principles.
- Involve key health and wellbeing stakeholders in the design of the project.

The membership of the group will be agreed between Latrobe City Council and the Latrobe Health Assembly. A proposed membership would include representatives from Latrobe City Council, Latrobe Health Assembly and other stakeholders such as Latrobe Regional Hospital Mental Health Services and Victoria Police. Council's membership would include officers from the Active and Liveable Communities and Creative Arts Teams. A Councillor can be included on the membership if desired.

## ANALYSIS

Officers believe that this proposal has the opportunity to establish a model for working collaboratively with the Latrobe Health Assembly. The model would align with other funding models, such as the VicHealth Local Government Partnership,

where the funding body remains engaged over the life of the project whilst Council retains responsibility for the project delivery.

## RISK ASSESSMENT

RISK	LIKELIHOOD*	TREATMENT
<p><b>COMPLIANCE</b> (LEGAL, CONTRACTUAL, OHS AND SAFETY)</p> <p>Conflict with LHA over project delivery and outcomes</p>	3	Funding agreement to outline agreed responsibilities and decision-making processes.
<p><b>SERVICE DELIVERY</b></p> <p>Inability to deliver project in agreed timeframes</p> <p>Inability to secure site approvals from relevant land owners</p>	3 3	Project timeframes developed to be realistic and allow for contingencies.  Utilise Council owned sites to minimise required approvals. Secure in principle approval from other landholders prior to commencing planning.
<p><b>FINANCIAL</b></p> <p>Project runs over budget</p> <p>Council responsible for cost of repair or replacement due to damage</p>	2 4	Realistic budget developed based on previous projects. Interventions designed to budget including contingencies.  Interventions designed to be damage/graffiti resistant. Funding agreement to include clause on responsibility for repairs/replacement.
<p><b>STRATEGIC (INC REPUTATIONAL)</b></p> <p>Community become confused about project lead and delivery responsibility</p>	3	Funding agreement to outline agreed responsibilities including project marketing and branding.

\* Inherent likelihood ratings: 1 (Rare); 2 (Unlikely); 3 (Possible); 4 (Likely); 5 (Almost Certain)



## CONSULTATION

The report outlines consultation undertaken with the LHA. If the proposal proceeds then community engagement will be undertaken to co-design the delivery of the project.

## COMMUNICATION

Communication plans will be developed as part of the agreed project plan if approved.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

The proposal aims to deliver a project in support of community health and wellbeing. The project would enhance community pride in, and use of, public spaces.

### **Cultural**

The proposal seeks to support the installation of vibrant public art to assist in place making. The interventions would seek to celebrate the Latrobe City community, its people and the natural and built environment.

### **Health**

Safety was identified by the community as their top priority for the Living Well Latrobe Plan. This proposal seeks to improve real and perceived safety in public spaces. Safety in public spaces has been identified as a barrier to recreation for women and people of self-described gender.

### **Environmental**

The proposal does not have any immediate environmental impacts. Environmental impacts will be considered as part of the detailed project design.

### **Economic**

The proposal will support economic benefit through the use of local artists and contractors. Increasing use of public space will also benefit the local economy through increased visitation.

### **Financial**

The proposal includes a project budget of \$300,000 to be funded by the Assembly.

The budget does not include in-kind costs for Council which include:

- Management and operational support for project officer.
- Staff, other than project officer, attendance at Steering Committee meetings, project meetings, workshops and implementation sessions.
- Staff time, other than project officer, including preparation and review of documents, procurement, marketing activities and administration support.
- Civil works and Infrastructure design work and project management.
- Site clean-up.
- Meeting room hire, stationary and other meeting and workshop incidentals.
- General marketing and promotion costs, including design, social media, photography & videography.

### **Attachments**

Nil

# SPORTING HALL OF FAME SELECTION PANEL APPOINTMENTS

## PURPOSE

The purpose of this report is to seek two Council nominations to the Latrobe Sporting Hall of Fame Committee and endorsement of its Terms of Reference.

## EXECUTIVE SUMMARY

- The Latrobe City Sporting Hall of Fame was established in 2006 and celebrates our local sporting history and venues and recognises individuals who have made a significant contribution to their chosen sport.
- Nominations are open every four years, coinciding with the Commonwealth Games.
- The Sporting Hall of Fame selection panel consists of the following:
  - 2 Councillors
  - 3 Community representatives
  - 1 Council Officer (no voting rights)
- A public expression of interest process is underway to appoint community members to the Hall of Fame Committee. Council will have the opportunity to review and endorse the expression of interests received via a resolution at the Council meeting to be held in October.
- Officers are seeking nominations from two Latrobe City Councillors to become members of the 2022 Sporting Hall of Fame Committee.

## OFFICER'S RECOMMENDATION

### That Council:

1. **Appoints Latrobe City Councillors \_\_\_\_\_ and \_\_\_\_\_ to become members of the 2022 Sporting Hall of Fame Committee;**
2. **Adopts the Sporting Hall of Fame Terms of Reference, as per attachment 1.**

**BACKGROUND**

The Sporting Hall of Fame Committee will be responsible for the nomination and selection process for the 2022 Latrobe Sporting Hall of Fame. Nominations will be open from September and will run in line with the Australia Day nominations period.

The Sporting Hall of Fame Committee will meet in mid-October to review all nominations and will make recommendations to Council on potential inductees.

The awards ceremony will be held in conjunction with the Australia Day Awards Ceremony in January 2023.

A person may be nominated for inclusion in the Latrobe City Sporting Hall of Fame under two categories, as follows:

- **Legend:** athletes who have achieved sporting excellence by competing at the highest level of their chosen sport. They have either achieved success at a national level or were selected to a national team and competed in international or Olympic competition.
- **Member:** those who have made a significant contribution to their chosen sport. They may be officials and referees, coaches and trainers, sport medicine or sports psychology, administrators or have taken on other roles involved in sport at the elite level.

Individuals inducted into the Hall of Fame awards in 2019, include:

<b>Don Coupe</b>	Legend category
<b>Philip Blunt</b>	Legend category
<b>Valerie Crane</b>	Legend category
<b>Garry Silvester</b>	Legend category
<b>Clyde Cumming</b>	Member Category
<b>John Black</b>	Member Category

**ANALYSIS**

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

**RISK ASSESSMENT**

RISK	LIKELIHOOD	TREATMENT
FINANCIAL	2 (unlikely)	Expenditure items related to the Hall of Fame Awards will be derived from BAU budgets.

**CONSULTATION**

Consultation will occur through a community expression of interest process to fill the three community representatives' positions.

## COMMUNICATION

There are no communication requirements.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

The call for nominations, assessment and selection of inductees and associated positive media coverage is expected to enhance and boost civic pride and Latrobe's reputation as a centre for sporting excellence.

### **Cultural**

Nominations will be encouraged from all backgrounds, and promotion of the awards will be widespread to capture a diverse mix of applicants.

### **Health**

The awards provide the opportunity for the promotion of Council's extensive sports and leisure facilities, reinforcing positive mental and physical health benefits.

### **Environmental**

It is not anticipated that the Sporting Hall of Fame initiative will generate any adverse environmental impacts.

### **Economic**

No economic impacts.

### **Financial**

There is no specific budget allocation for the Sporting Hall of Fame Awards. Advertising for the awards will occur alongside the Australia Day Awards and through the existing Events and Tourism BAU budget.

### **Attachments**

1 [↓](#)  Sporting Hall of Fame Terms of Reference

# 9.5

## Sporting Hall of Fame Selection Panel Appointments

1	Sporting Hall of Fame Terms of Reference .....	128
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# Sporting Hall of Fame Committee

## *Terms of Reference*



August 2022





## CONTENTS:

1. **Establishment of the Committee**
2. **Objectives**
3. **Membership**
  - Composition of the Committee
  - Length of appointment
  - Selection of members and filling of vacancies
  - Co-option of members
  - Attendance at meetings
  - Resignations
4. **Proceedings**
  - Chair
  - Meeting Schedule
  - Meeting procedures
  - Quorum
  - Voting
  - Minutes
  - Reports to Council
5. **Review of Committee and Duration of the Committee**
6. **Authority and Compliance Requirements**



## 1. Establishment of the Committee

- 1.1. The Sporting Hall of Fame Committee (hereinafter referred to as “the Committee”), is a formally appointed Committee of Latrobe City Council established for the purposes of providing advice to Council.
- 1.2. The membership of this Committee and these Terms of Reference will be adopted by resolution of Latrobe City Council at a Council Meeting.

## 2. Objectives

- 2.1. The Committee’s role is to report to the Council and provide appropriate advice, information and feedback on matters relevant to this Terms of Reference in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.
- 2.2. The Committee is a working group only and has no delegated decision-making authority.
- 2.3. The Committee is established to:
  - 2.3.1. To engage the community in both contributing to, and sharing in the success of the Latrobe City Sporting Hall of Fame.
  - 2.3.2. Manage the nomination process, for inducing new Members and Legends into the Sporting Hall of Fame every four years, in line with the Commonwealth Games.
- 2.4. The Committee will carry out the following in order to achieve the objectives set:
  - 2.4.1. The Sporting Hall of Fame Committee is established to
    - 2.4.1.1. Promote the Latrobe City Sporting Hall of Fame, recognising demonstrated achievement at an elite level in the sport(s) in which they have participated or served.
    - 2.4.1.2. Coordinate the Nomination process for the induction of Members and Legends into the Sporting Hall of Fame every 4 years in line with the Commonwealth Games
    - 2.4.1.3. Evaluate and assess nominations received as to their eligibility and using the agreed scoring system, recommend candidates to Council, in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.



2.4.1.4. Facilitate and act as a conduit between the community and Council on all aspects relating to the general operations and management of the event.

2.4.2. Policy and Strategy Development

2.4.2.1. Provide advice as part of a policy, strategy (or other relevant document) review or development processes as required from time to time.

2.4.3. Perform other activities related to this Terms of Reference as requested by the Council.

### 3. Membership

Composition of the Committee

3.1. The Committee shall comprise of 5 members, being:

3.1.1. Up to two Councillors.

3.1.2. Up to three community representatives from the following sectors - sports management and administration, elite sports, community sports, marketing and or business.

3.1.3. Coordinator Events & Tourism – administrative role (no voting rights).

Length of appointment

3.2. The Committee shall be in place for as long as Latrobe City Council sees fit. Councillors will be appointed to the Advisory Committee as per the Council process.

Selection of members and filling of vacancies

3.3. The Committee may fill any vacancies that occur within the determined period of appointment, subject to the approval of the General Manager of the relevant division and endorsement of Council. Where a vacancy is filled in this way, the appointment shall be limited to the remainder of the period of the original appointment.

Co-option of members

3.4. With the approval of the Chair, the Committee may invite other individuals to participate in the proceedings of the Committee on a regular or an occasional basis and including in the proceedings of any sub-committees formed.

Attendance at meetings

3.5. All Committee members are expected to attend each meeting.



- 3.6. A member who misses two consecutive meetings without a formal apology may at the discretion of Latrobe City Council have their term of office revoked.
- 3.7. A member who is unable to attend the majority of meetings during the year may at the discretion of Latrobe City Council have their term of office revoked.

#### Resignations

- 3.8. All resignations from members of the Committee are to be submitted in writing to the General Manager of the relevant division, Latrobe City Council, PO Box 264, Morwell VIC 3840.

### **4. Proceedings**

#### Chair

- 4.1. The nominated Councillor shall Chair the meetings.
- 4.2. If the Councillor delegate is unavailable, he/she shall delegate to the other nominated Councillor to chair the meeting.
- 4.3. If neither Councillor is available, the Chair may nominate a replacement from the current membership of the Committee to chair the meeting.

#### Meeting schedule

- 4.4. The Committee will determine its meeting schedule and times for each of the meetings. The duration of each Committee meeting should generally not exceed two hours.
- 4.5. Meetings of the Committee will be held monthly initially or as may be deemed necessary by Latrobe City Council or the Committee to fulfil the objectives of the Committee. Special meetings may be held on an as-needs basis.

#### Meeting procedures

- 4.6. Meetings will follow standard meeting procedures as established in any guidance material and outlined in these terms of reference for Advisory Committees provided (see appendix one for the agenda template).
- 4.7. Members are expected to comply with the confidential information provisions contained in the *Local Government Act 2020* and must treat information they receive as confidential unless otherwise advised. Members must not use confidential information other than for the purpose of performing their function as a member of the Committee.
- 4.8. If a member has a general or material conflict of interest as defined in the *Local Government Act 2020* regarding an item to be considered or discussed



by the Committee, the member must disclose this to the Chair if they are attending the meeting.

4.8.1 Once a declaration of either general or material conflict of interest has been made, the member must leave the room and remain outside until the conclusion of the relevant discussion. The time of leaving the meeting room and the time of their return must be recorded in the minutes or notes of the meeting.

4.9. All recommendations, proposals and advice must be directed through the Chair.

#### Quorum

4.10. A majority of the members constitutes a quorum.

4.11. If at any Committee meeting a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be deemed adjourned.

#### Voting

4.12. There will be no official voting process, although all members shall have equal voting rights. Majority and minority opinions will be reflected in Committee minutes.

#### Minutes of the Meeting

4.13. A Latrobe City Officer or authorised agent shall take the minutes of each Committee meeting.

4.14. The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee (see appendix two for the minutes template).

4.15. The minutes shall be stored in the Latrobe City Council corporate filing system (currently Ci Anywhere electronic document and records management system).

4.16. The agenda shall be distributed at least 48 hours in advance of the meeting to all Committee members, including alternative representatives.

4.17. A copy of the minutes shall be distributed to all Committee members (including alternative representatives) within 10 working days of the meeting.



#### Reports to Council

- 4.18. With the approval of the Chair, a report to Council may be tabled on the Committee's progress towards the objectives included in this Terms of Reference.
- 4.19. Reports to Council should reflect a consensus of view. Where consensus cannot be reached, the report should clearly outline any differing points of view.
- 4.20. Reports to Council will be co-ordinated through the General Manager of the relevant division that the Committee falls under.

#### **5. Review of Committee and Duration of the Committee**

- 5.1. The Committee will cease to exist by resolution of the Council, or once the objectives at item 2.3 are demonstrated to have been met, whichever occurs first.
- 5.2. A review of the Committee will take place at least once every four years at which time the Terms of Reference will also be reviewed.
- 5.3. A review will be conducted on a self-assessment basis (unless otherwise determined by Council) with appropriate input sought from the Council, the CEO, all Committee members, management and any other stakeholders, as determined by Council.
- 5.4. The review must consider:
  - 5.4.1. The Committee's achievements;
  - 5.4.2. Whether there is a demonstrated need for the Committee to continue; and
  - 5.4.3. Any other relevant matter.

#### **6. Authority and Compliance Requirements**

- 6.1. The Committee is a consultative committee only and has no executive powers nor does it have any delegated decision making or financial authority.
- 6.2. Failure to comply with the provisions outlined in this Terms of Reference may result in termination of the Member's appointment.



## Appendix 1: Agenda Template



### AGENDA

#### [Name] Advisory Committee

Meeting Day, XX Month Year

Time Commencing: 00:00am/pm Expected Finish Time: 00:00am/pm

Location: (include specific meeting room and address)

#### AGENDA ITEMS

No.	Item	Responsible Officer	Attachment
1.	Welcome & introduction	Chair	N/a
2.	Apologies	All	
3.	Declarations of Interest <i>Members of the Committee are to declare any Conflicts of interest or any interests in matters listed on the agenda</i>	All	
4.	Confirmation of Minutes <i>Confirmation of the previous minutes of the meeting.</i>		
5.	Matters arising from previous meeting <i>Review of action progress from previous meetings</i>	All	
6.	Reports/Items for Consideration <i>Matters being presented for discussion in accordance with the terms of reference</i>		
7.	General Business • •	All	
8.	Next Meeting	Chair	



**Appendix 2: Minutes Template**



No.	Item	Responsible Person	Timeframe
<p><b>MINUTES</b>  <b>[Name] Advisory Committee Minutes</b></p> <p>Meeting Day, XX Month Year                      Time Commenced: 00:00am/pm Finish Time: 00:00am/pm                      Location: (include specific meeting room and address)</p> <p>Meeting Chair: &lt; Name &gt;</p>			
1.	Present		
2.	Apologies		
3.	Interest Disclosures		
	<p><i>Members of the Committee declare any Conflicts of interest or Interests in matters discussed at the meeting.</i>                      The following members of the Committee declared a Conflict of Interest at the meeting and left the meeting whilst the matter was being discussed:</p> <p>&lt;Name&gt; Time left 00:00am/pm, Time returned 00:00am/pm</p> <p>&lt;Name&gt; Time left 00:00am/pm, Time returned 00:00am/pm</p> <p>&lt;Name&gt; Time left 00:00am/pm, Time returned 00:00am/pm</p>		







<b>4.</b>	<b>Confirmation of Minutes</b>		
	<i>That the minutes of the meeting held on [Date] of the [Name] Advisory Committee be confirmed.</i>		
<b>5.</b>	<b>Matters arising from previous meeting</b>		
	<p><i>List the item and action agreed and assign any follow up actions and expected timeframes</i></p> <p>1. Item Heading Action(s):</p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>2. Item Heading Action(s):</p> <ul style="list-style-type: none"> <li>•</li> </ul>		
<b>6.</b>	<b>Items for Consideration</b>		
	<p><i>List the item and action agreed as per agenda and assign any follow up actions and expected timeframes</i></p> <p>1. Item Heading Action(s):</p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>2. Item Heading Action(s):</p> <ul style="list-style-type: none"> <li>•</li> </ul> <p>3. Item Heading Action(s):</p> <ul style="list-style-type: none"> <li>•</li> </ul>		
<b>7.</b>	<b>General Business</b>		
	<p><i>List the item and action agreed and assign any follow up actions and expected timeframes</i></p> <p>1. Item Heading Action(s):</p> <ul style="list-style-type: none"> <li>•</li> </ul>		



	2. Item Heading Action(s): <ul style="list-style-type: none"><li>•</li></ul>		
<b>Next Meeting:</b> <Provide details of the next meeting date, time and location>.			



# TOURISM AND MAJOR EVENTS ADVISORY COMMITTEE RECOMMENDATIONS AUGUST 2022

## PURPOSE

To seek endorsement from Council of recommendations from the Tourism and Major Events Advisory Committee to fund recommended events through the Major Events Attraction budget (2022/23).

## EXECUTIVE SUMMARY

- At the Tourism and Major Events Advisory Committee (TAMEAC) meeting of 3 August 2022, two major events were recommended for funding support – The Latrobe Valley Racing Club Partnership and Basketball Victoria Junior Championships.
- Due to short timeframes, the Tennis Australian Pro Tournament was not presented to TAMEAC, rather an internal assessment was undertaken, and Councillors were informed (via email); this event is presented to Council for retrospective approval.
- All three events can be funded from the 2022/23 Major Event Attraction budget and, as a result, there are no budget implications as a result of supporting/attracting these events.
- These major events have been reviewed and considered by officers based on assessments prepared outlining economic benefit, return on investment and benefit to the local community. Details of the assessments are provided in the attachments.

## OFFICER'S RECOMMENDATION

### That Council:

1. **Adopts the recommendations of the Tourism and Major Events Advisory Committee and authorises officers to enter into a suitable agreement to fund the following events through the annual Major Events Attraction budget;**
  - **Latrobe Valley Racing Club Partnership, Derby Day (29 October 2022) and Traralgon Cup (27 November 2022) for \$12,000**
  - **Basketball Victoria Junior Country Championships U16 & U18 (18-19 March 2023) for \$10,000**
2. **Notes the decision to fund the Tennis Australian Pro Tournament (13-27 November 2022) for \$20,000 as presented to Council (via email) for retrospective approval.**

## BACKGROUND

### **2022 Latrobe Valley Racing Club Partnership – Derby Day and Traralgon Cup**

The Latrobe Valley Racing Club Partnership encompasses the Derby Day and the Traralgon Cup. Latrobe City Council has supported the Latrobe Valley Racing Club for several years. The presented partnership will provide several pre-event engagements, branding opportunities and recognition of Latrobe City Council's support over the two events.

### **2023 Basketball Victoria Junior Country Championships U16/18 Division 3 & 4**

The Basketball Victoria Junior Championships is a state-wide event that will attract 920 competitors, coaches and staff plus an additional 1,640 spectators to our region over a two-day period. Accommodation for this event will be extended to Wellington and Baw Baw Shires during the event.

### **2022 Tennis Men's and Women's Australian Pro Tour Tournaments (double header)**

This event provides an opportunity for the Traralgon Tennis Club to host two back-to-back men's and women's combined Australian Pro Tour Tournaments across two weeks. The Pro Tour attracts international players from Australia, UK, New Zealand, Asia, USA, India, Germany and France who are ranked above 350 in the world. This double-header event will see 250 players and officials in attendance plus up to 3,000 spectators over the event duration. In addition, the event will have significant media coverage and will be live streamed through international websites which offer unique visitors in excess of 1.87 million annually.

## ANALYSIS

In accordance with the Major Events Selection Framework these events are required to be presented to a Council meeting for endorsement.

## RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
<b>COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)</b>  Major event doesn't meet safety or regulatory requirements	2 (Unlikely)	All events supported by Council are required to submit and have approved an event permit.
<b>SERVICE DELIVERY</b>  Inability to deliver event by scheduled date	2 (Unlikely)	Event timeframes are developed in conjunction with the Latrobe City events team. Strict oversight of this is undertaken by Council officers

<p><b>FINANCIAL</b></p> <p>Opportunity cost of lost economic benefit from these major events if not supported</p>	<p>3 (Possible)</p>	<p>Use of the major events assessment process and review by Council officers and TAMEAC</p>
<p><b>STRATEGIC (INC REPUTATIONAL)</b></p> <p>Major event negatively impacts on the reputation of Latrobe City Council as an events city.</p>	<p>1 (Rare)</p>	<p>TAMEAC consideration of event proposal and assessment. Strict oversight of operations and arrangements by Council officers.</p>

### CONSULTATION

Where appropriate, consultation with both internal and external stakeholders and community organisations is undertaken to determine support of a major event. Major event proposals and assessments are presented to TAMEAC for consideration and recommendation.

### COMMUNICATION

All major events have extensive marketing and community engagement activities associated with their delivery. These are managed in conjunction with officers from the Communications team and Events team at Latrobe City Council.

### DECLARATIONS OF INTEREST

Offers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

The opportunity to host these major events is expected to enhance and boost civic pride and Latrobe's reputation as a centre for sporting excellence. Conversely, consideration needs to be given to the Council supporting events that promote gambling.

### **Cultural**

These events are public sporting events and will be promoted to all backgrounds and various community groups to encourage a diverse mix of spectators.

### **Health**

Hosting major events provides the opportunity for the local community to experience high profile events which have an impact on overall community health and wellbeing.

### **Environmental**

It is not anticipated that these events will generate any adverse environmental impacts.

### **Economic**

Economic impacts have been undertaken and assessed based on their economic benefit, return on investment and benefit to the local business community. All three events offer an excellent economic benefit to the municipality.

### **Financial**

Event funding is covered under the annual Major Events Attraction budget and part of BAU budget preparations.

### **Attachments**

#### 1. Latrobe Valley Racing Club, Major Event Assessment (Published Separately)

This attachment is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The attached document provides information on Council's negotiations that could unfairly prejudice the Council's position if released.

#### 2. Latrobe Valley Racing Club Sponsorship Proposal (Published Separately)

This attachment is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The attached document provides information on Council's negotiations that could unfairly prejudice the Council's position if released.

### 3. Basketball Victoria, Event Assessment (Published Separately)

This attachment is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The attached document provides information on Council's negotiations that could unfairly prejudice the Council's position if released.

### 4. Tennis Australia, Major Event Assessment (Published Separately)

This attachment is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The attached document provides information on Council's negotiations that could unfairly prejudice the Council's position if released.

# AUTHORISATION OF A COUNCIL OFFICER UNDER THE PLANNING & ENVIRONMENT ACT 1987

## PURPOSE

This report seeks to authorise John Petrakos, Manager Regional City Planning, under section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*.

## EXECUTIVE SUMMARY

- Council utilises Instruments of Appointment and Authorisation to identify specific officer's incumbent in roles and, in turn, appoint the officer to be authorised officers for the administration and enforcement of legislation under applicable Acts.
- By authorising John Petrakos, the officer will be able to perform their duties with respect to the planning powers and functions of the Council

## OFFICER'S RECOMMENDATION

**That Council in the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 resolves that:**

- 1. John Petrakos be appointed and authorised as set out in the instrument;**
- 2. The instrument comes into force immediately and the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it; and**
- 3. The instrument be sealed.**



## BACKGROUND

Only a handful of Acts and Regulations require specific roles within an organisation to be identified to undertake a specific function. There are often clauses within Acts or Regulations that state an “authorised officer” can undertake a specific function and therefore the authorised officer needs to be identified by role and officer name.

Section 147(4) of the *Planning and Environment Act 1987* provides for the following:

*Any reference in this Act to an Authorised officer of a responsible authority or of the Department is a reference to an officer or employee of the authority or employee of the Department whom the authority or the Secretary to the Department (as the case requires) authorises in writing generally or in a particular case to carry out the duty or function or to exercise the power in connection with which the expression is used.*

Section 313 of the *Local Government Act 2020* provides for the following:

- (1) *The Secretary, a Council or a person authorised by the Council either generally or in a particular case may institute proceedings in the corporate name of the Council for—*
  - (a) *the recovery of any municipal rates, service charges, special purpose charges, fees or other money due to the Council under any Act, regulation or local law; or*
  - (b) *the enforcement of any provision of any Act, regulation or local law for which the Council is responsible; or*
  - (c) *the recovery of any penalty or surcharge in relation to any offence under any Act, regulation or local law the enforcement of which is the responsibility of the Council; or*
  - (d) *any other purpose specified by the Council.*
- (2) *A Chief Executive Officer or person authorised by the Council either generally or in a particular case may represent the Council in all respects as though the Chief Executive Officer or person authorised by the Council was the party concerned in any proceedings in which the Council is a party or has an interest.*
- (3) *Proceedings for a summary offence under this Act may be commenced within the period of 3 years after the commission of the alleged offence.*

## ANALYSIS

Section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020* specifically require that the appointment of an authorised officer must come from Council.

## RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)  Officers not authorised by Council; officers will be unable to adequately perform their duties	3 (Possible)	Authorisation of Planning Officer

SERVICE DELIVERY		
Delays in processing decisions on planning applications.	3 (Possible)	Authorisation of Planning Officer
FINANCIAL		
Cost of lost economic benefit within team's budget	3 (Possible)	Authorisation of Planning Officer
STRATEGIC (INC REPUTATIONAL)		
Risk that developers will become frustrated with delays and appeal to the Victorian Civil and Administrative Tribunal.	3 (Possible)	Authorisation of Planning Officer

#### CONSULTATION

Not Applicable

#### COMMUNICATION

Not Applicable

#### DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

Nil

### **Cultural**

Nil

### **Health**

Nil

### **Environmental**

Nil

### **Economic**

The authorisation of officers allows Council to enable infrastructure supporting private and public investment.

### **Financial**

The authorisation of the officer ensures that the officer is able to perform duties that they are required to undertake as part of their role.

### **Attachments**

1 [↓](#).  S11A Instrument of Delegation & Authorisation - John Petrakos

# 9.7

## Authorisation of a Council Officer under the Planning & Environment Act 1987

- 1 S11A Instrument of Delegation & Authorisation - John Petrakos ..... 149

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and  
Environment Act 1987)*



**Latrobe City Council**

**Instrument of Appointment and Authorisation  
(*Planning and Environment Act 1987* only)**

**John Petrakos**

**Manager Regional City Planning**

**September 2022**

**Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)**

In this instrument "**officer**" means -

**John Petrakos**

**By this instrument of appointment and authorisation Latrobe City Council -**

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked;
- (c) is automatically revoked upon the officer referred to in this instrument ceasing employment with the Council.

This instrument is authorised by a resolution of the Council on the twenty third of May 2022.

The Common Seal of **LATROBE CITY COUNCIL**  
was affixed in accordance with Local Law No. 1  
this     day of             2022 in the presence of:

\_\_\_\_\_  
*Steven Piasente – Chief Executive Officer*

# UPDATE TO COUNCIL'S HALF COST FENCING POLICY

## PURPOSE

This paper presents the newly updated Half Cost Fencing Policy for Council adoption.

## EXECUTIVE SUMMARY

- The Half Cost Fencing Policy was last presented for adoption by Council in 2011.
- The current policy has been benchmarked against regional Victorian Council's Half Cost Fencing policies and consideration has been given to community feedback received through the implementation of the current Half Cost Fencing Policy.
- The Policy has been reviewed and updated to better provide the community clarity around the situations and responsibilities for the construction, maintenance and replacement of dividing fences abutting Council owned property.

## OFFICER'S RECOMMENDATION

### That Council:

1. **Adopts the Half Cost Fencing Policy;**
2. **Notes that, with the adoption of this policy, any previous versions are revoked; and**
3. **Make the Half Cost Fencing Policy available on Council's website and available for inspection at all Council Service Centres.**

**BACKGROUND**

The *Fences Act 1968* provides a general exemption for municipal councils and other Crown bodies from the requirement to contribute to the cost of boundary fences covered by the Act.

In the interests of good governance Latrobe City Council has determined that despite the exemption afforded by the legislation it will contribute to the cost of dividing fences in circumstances that fulfil the strategic directions of the Council Plan.

The Half Cost Policy sets out the clear responsibilities for the construction, maintenance and replacement of dividing fences abutting Council owned/managed property, and for compliance with the *Fences Act 1968*.

**ANALYSIS**

The current Half Cost Fencing Policy (adopted 2011) highlighted key improvements that could be made to:

- Provide a clearer objective and reasoning for sharing the cost of fences;
- The circumstance when Latrobe City Council would share the cost of a fence; and
- To include clarity for fencing contractors’ obligations.

Further to these improvements, specific differences/changes in the newly drafted Half Cost Fencing Policy are included in attachment two.

**RISK ASSESSMENT**

RISK	LIKELIHOOD	TREATMENT
COMPLIANCE (LEGAL, CONTRACTUAL, OHS AND SAFETY)		
Council not complying with the Fences Act 1968	Unlikely	Requirements under the Fences Act 1968 have been addressed within the draft policy.

**CONSULTATION**

No formal consultation was undertaken during the review of the Half Cost Fencing Policy however the current policy has been benchmarked against Half Cost Fencing policies of regional Victorian Councils. In the review of the new policy, consideration was given to community feedback that arose from the current Half Cost Fencing Policy.

**COMMUNICATION**

The adopted Half Cost Fencing policy would be communicated to staff and Councillors and made available to the public on Council’s website.

**DECLARATIONS OF INTEREST**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2022*.



## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

As the *Fences Act 1968* exempts Council from contributing to boundary fencing, this policy sets out clearly when Latrobe City Council is to share the cost of fencing. As Council is going above and beyond the statutory requirements placed on them, this will lead to a positive social impact.

### **Cultural**

No impact on cultural values of beliefs systems.

### **Health**

No direct health implications from this report.

### **Environmental**

Assessment of impact in short and longer term on sustainability

### **Economic**


No economic analysis required.

### **Financial**

Adopting this policy will communicate the financial responsibilities of both the property owner and Council around Council's contributions to the cost of renewal and/or replacement of fences that form a dividing fence with private properties; along with major repairs and replacement of fences to which Council does not contribute.

### **Attachments**

1 [↓](#).  Draft Council Policy - Half Cost Fencing

2 [↓](#).  Half Cost Fencing Policy - Significant Updates/Changes

# 9.8

## Update to Council's Half Cost Fencing Policy

- 1 Draft Council Policy - Half Cost Fencing ..... 155
- 2 Half Cost Fencing Policy - Significant Updates/Changes ..... 163



# Half Cost Fencing Policy

Version (No. 2)

Approval Date: (September 2022)

Review Date: (September 2026)



## Half Cost Fencing Policy

### DOCUMENT CONTROL

Responsible GM	Jody Riordan	
Division	Regional City Planning and Assets	
Last Updated (who & when)	Neil Churton	2022
DOCUMENT HISTORY		
Authority	Date	Description of change
Council	07 February 2011	Version (No. 1)
References	Refer to Section 8 and 9 of this policy	
Next Review Date	September 2026	
Published on website	Yes	
Document Reference	No	

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Page 2 of 8

Responsible Division	Regional City Planning and Assets	Approved Date	September 2022	Review Date	September 2026
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## Half Cost Fencing Policy

### 1. Background

The Latrobe City Council Half Cost Fencing Policy sets out clear responsibilities for the construction, maintenance and replacement of dividing fences abutting Council owned/managed property, and for compliance with the Fences Act 1968

The legislation provides a general exemption for municipal councils and other Crown bodies from the requirement to contribute to the cost of boundary fences covered by the Act.

In the interests of good governance Latrobe City Council has determined that despite the exemption afforded by the legislation it will contribute to the cost of dividing fences in circumstances that fulfil the strategic directions of the Council Plan.

#### Council Plan Alignment:

This policy is consistent either in full or in part with the following Council Plan Strategic Directions:

- 1.2.2 Prioritise a range of public space improvements across the municipality.
- 1.3.7 Ensure a holistic approach to community safety in the planning and development of infrastructure, and the delivery of service to our community.
- 2.3.5 Ensuring financial sustainability to ensure funding of council priorities and maintenance of community assets.

### 2. Objectives

The purpose of the Latrobe City Council Half Cost Fencing Policy is to set out clear responsibilities for the construction, maintenance and replacement of dividing fences abutting Council owned property, and to comply with the requirements of the Fences Act 1968

The broader aims of the policy are to identify:

- The situations in which Council will or will not contribute to construction, repair or replacement of fencing between Council owned land and adjoining land;
- Situations in which Council will or will not contribute to repair or replacement of fencing between Crown land for which Council is a Committee of Management (COM) or trustee under the Crown Land (Reserves) Act 1978 and adjoining land;
- The responsibilities of persons engaged to construct, repair or replace a fence bounding Council land; and
- Conditions in which a vehicle or pedestrian access gate may or may not be permitted to be incorporated in a fence bounding Council land that is to be repaired or replaced.

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Page 3 of 8

Responsible Division	Regional City Planning and Assets	Approved Date	September 2022	Review Date	September 2026
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## Half Cost Fencing Policy

### 3. Scope

The policy applies to property owners with boundary fences between privately owned land abutting property owned, occupied or managed by Council, who are seeking a contribution from Council towards the cost of major repair or replacement of a dividing fencing.

Original construction of boundary fences are the responsibility of the abutting property owners.

Ongoing fence maintenance, repairs are the responsibility of the abutting property owners.

The cost of repair or replacement of dividing fences damaged due to negligent acts, wilful acts or acts of god are the responsibility of the abutting property owners and should be repaired or replaced at the cost of the property owner or as a claim against the property owner's insurance.

a) Council contributes to the cost of renewal and/or replacement of fences that form a dividing fence with private properties and the following Council managed reserves and facilities:

- Preschools, Maternal and Child Health Centres;
- Council offices and service centres;
- Council works depots;
- Senior Citizen centres;
- Recreation Reserves;
- Leisure Centres;
- Open Space and Drainage reserves with play spaces and/or hard surface footpaths;
- High use (regular community use by up to 10 people per day for exercise or recreation) Open Spaces and Drainage Reserves without play spaces and/or hard surface footpaths;
- Off-street carparks;
- Council owned or managed Community Centres;
- Walkways in commercial and residential precincts with a hard-surfaced footpath that provides access to Council managed land.

b) Council does not contribute to the costs of major repair and replacement of fences that form a dividing fence with private properties and the following Council managed reserves, facilities and circumstances:

**WARNING - uncontrolled when printed.**

Page 4 of 8

Responsible Division	Regional City Planning and Assets	Approved Date	September 2022	Review Date	September 2026
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## Half Cost Fencing Policy

- Low use (sporadic community use by less than 10 people per day for exercise or recreation) Open Spaces and Drainage Reserves without play spaces and/or hard surface footpaths;
- Nature reserves and rural properties;
- Tree Reserves next to a Council or Regional Roads Victoria managed road;
- Council Roads and Right of Ways;
- Department of Transport Roads and Right of Ways;
- Laneways and walkways in Industrial precincts;

c) Council does not contribute to the costs the construction of a new fence that forms a dividing fence with private property that has not been previously fenced.

d) Council only contributes to the cost of the replacement of fences that are in a non-serviceable condition and at an age as would be expected for standard fence at the end of its serviceable life and is consistent with the concept of “asset renewal”.

#### 4. Principles of Management

To support a property owners' request for Council to share the cost of the replacement of an abutting fence, the property owner must obtain and submit to Latrobe City Council three (3) written quotations from reputable and recognised fencing contractors or builders, and also submit to Council a *Notice to Fence* pursuant to the Fences Act 1968.

#### Council's Responsibility under this policy:

Latrobe City Council:

- will contribute half of the cost of the replacement of a standard fence abutting a Council owned or managed property consistent with the terms of this policy.
- will contribute half of the cost of a standard fence where a property owner wishes to construct an approved non-standard fence of greater cost.
- reserves the right not to contribute more than half the cost of a fence in accordance with current prevailing rates tendered to Council for the provision of similarly specified fences.

#### It is the property owner's responsibility to:

- obtain approval from Latrobe City to construct a non-standard fence abutting a Council owned property prior to construction.
- engage a reputable fencing contractor to undertake the agreed works.

**WARNING - uncontrolled when printed.**

Page 5 of 8

Responsible Division	Regional City Planning and Assets	Approved Date	September 2022	Review Date	September 2026
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## Half Cost Fencing Policy

- pay all costs associated with the repair or replacement of any damaged section of a boundary fence abutting a Council owned property where damage has occurred through the action of the owner/occupier's neglect, wilful acts or acts of god.
- comply with the procedures developed and implemented by Latrobe City in respect of fencing construction requirements.

Further detail to guide officers in the implementation of this policy is contained in the Half Cost Fencing Operational Policy and includes:

- Detailed criteria for assessing property owner eligibility.
- Fencing Standards.
- Responsibilities of entities engaged to undertake fence works; and
- Gates in fences abutting Council property.

The details within the operational policy may be updated as is required to maintain contemporary guidance and will be made available to the community members upon request.

### 5. Accountability and Responsibility

Accountability and responsibility for this policy is outlined below.

#### 5.1. Council

- Responsibility to ensure this Policy is consistent with Latrobe City Council Strategic Direction and other Latrobe City Council Policy
- Responsibility for the decision to approve this Policy by Council Resolution

#### 5.2. Chief Executive Officer

- Overall responsibility for compliance with this policy
- Overall responsibility for enforcing accountability
- Overall responsibility for providing resources
- Overall responsibility for performance monitoring

#### 5.3. General Manager

- Responsibility for compliance with this policy
- Responsibility for enforcing accountability
- Responsibility for providing resources
- Responsibility for performance monitoring

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Page 6 of 8

Responsible Division	Regional City Planning and Assets	Approved Date	September 2022	Review Date	September 2026
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## Half Cost Fencing Policy

### 5.4. Manager

- Develop frameworks and procedures in compliance with this policy
- Enforce responsibilities to achieve compliance with frameworks and procedures
- Provide appropriate resources for the execution of the frameworks and procedures

### 5.5. Employees, Contractors and Volunteers

- Participate where required in the development of frameworks and procedures in compliance with this policy.
- Comply with frameworks and procedures developed to achieve compliance with this policy.

## 6. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant change in the Executive team, significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years).

## 7. Definitions

*Authorised Officer of the Council* – a Council officer who is authorised to act as Council's agent for the purposes of undertaking Council's obligations under the Fences Act 1968.

*Council owned land* – land for which Latrobe City Council is the registered proprietor.

*Fence* – for the purposes of this policy the terms fence and fencing will mean 'dividing fence' as defined in the Fences Act 1968.

*Sufficient dividing fence* – has the same meaning as 'Sufficient dividing fence' as it appears in the Fences Act 1968.

*Half Cost Fencing* – whereby the Council shares the cost of major repair or replacement of dividing fences between Council owned and other land in accordance with the provisions of the Fences Act 1968 and the terms of this Policy.

## 8. Related Documents

## 9. Reference Resources

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Page 7 of 8

Responsible Division	Regional City Planning and Assets	Approved Date	September 2022	Review Date	September 2026
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## Half Cost Fencing Policy

Related Documents Title	Location/Document Number/Hyperlink
Fences Act 1968	
Fencing Amendment Act 2014	
Local Government Act 1989	
Local Government Act 2020	

### 10. Appendices

Nil

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Page 8 of 8

Responsible Division	Regional City Planning and Assets	Approved Date	September 2022	Review Date	September 2026
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## Half Cost Fencing Policy – Changes and Updates

Content	Half Cost Fencing Policy 11 POL-4 7 February 2011	Draft Half Cost Fencing Policy - 2022	Significant Changes/Impacts
1) Purpose	<p><b>Policy Goals:</b> The purpose of the Latrobe City Council Half Cost Fencing Policy is to set out clear responsibilities for the construction, maintenance or replacement of boundary fencing abutting Council owned property, and to comply with the requirements of the Fences Act 1968.</p>	<p><b>Policy Background:</b></p> <p>The Latrobe City Council Half Cost Fencing Policy sets out clear responsibilities for the construction, maintenance and replacement of dividing fences abutting Council owned/managed property, and for compliance with the Fences Act 1968</p> <p>The legislation provides a general exemption for municipal councils and other Crown bodies from the requirement to contribute to the cost of boundary fences covered by the Act.</p> <p>In the interests of good governance Latrobe City Council has determined that despite the exemption afforded by the legislation it will contribute to the cost of dividing fences in circumstances that fulfil the strategic directions of the Council Plan.</p> <p><b>Council Plan Alignment:</b></p> <p>This policy is consistent either in full or in part with the following Council Plan Strategic Directions:</p> <p>1.2.2 Prioritise a range of public space improvements across the municipality.</p> <p>1.3.7 Ensure a holistic approach to community safety in the planning and development of infrastructure, and the delivery of service to our community.</p> <p>2.3.5 Ensuring financial sustainability to ensure funding of council priorities and maintenance of community assets.</p>	<p>Recognition of the general exemption for municipal councils and other Crown bodies from the requirement to contribute to the cost of boundary fences covered by the Act.</p> <p>Conformation of Councils intent to implement a Half Cost fencing Policy that provides benefits to abutting property owners above that outline in the Fencing Act in order to meet strategic Directions of the Council Plan</p> <p>Inclusion of alignment to Council for context as to why Council contributes to Half Cost Fencing.</p>
2) Objective		<p><b>Objectives:</b></p> <p>The purpose of the Latrobe City Council Half Cost Fencing Policy is to set out clear responsibilities for the construction, maintenance and replacement of dividing fences abutting Council owned property, and to comply with the requirements of the Fences Act 1968</p>	



## Half Cost Fencing Policy – Changes and Updates

		<p><b>Further Objectives:</b></p> <p>The broader aims of the policy are to identify:</p> <ul style="list-style-type: none"> <li>• The situations in which Council will or will not contribute to construction, repair or replacement of fencing between Council owned land and adjoining land;</li> <li>• Situations in which Council will or will not contribute to repair or replacement of fencing between Crown land for which Council is a Committee of Management (COM) or trustee under the Crown Land (Reserves) Act 1978 and adjoining land;</li> <li>• The responsibilities of persons engaged to construct, repair or replace a fence bounding Council land; and</li> <li>• Conditions in which a vehicle or pedestrian access gate may or may not be permitted to be incorporated in a fence bounding Council land that is to be repaired or replaced.</li> </ul>	<p>Includes Crown land for which Council is the Committee of Management – the previous was silent and ambiguous for land that Council is COM.</p> <p>Includes responsibilities for those engaged to construct, repair or replace a fence bounding Council land.</p>
<p>3) Scope</p>		<p><b>Scope:</b></p> <p>The policy applies to property owners with boundary fences between privately owned land abutting property owned, occupied or managed by Council, who are seeking a contribution from Council towards the cost of major repair or replacement of a dividing fencing.</p> <p>Original construction of boundary fences are the responsibility of the abutting property owners.</p> <p>Ongoing fence maintenance, repairs are the responsibility of the abutting property owners.</p> <p>The cost of repair or replacement of dividing fences damaged due to negligent acts, wilful acts or acts of god are the responsibility of the abutting property owners and should be repaired or replaced at the cost of the property owner or as a claim against the property owner’s insurance.</p>	<p>Clearer clarification of application, previous policy was silent about:</p> <p>Clarity with reference to responsibility for original construction.</p>



## Half Cost Fencing Policy – Changes and Updates

		<p><b>Scope:</b></p> <p>Council contributes to the cost of renewal and replacement costs of fences that form a dividing fence with private properties and the following Council managed reserves and facilities:</p> <ul style="list-style-type: none"> <li>• Pre-schools, Maternal and Child Health Centres;</li> <li>• Council offices and service centres;</li> <li>• Council works depots;</li> <li>• Senior Citizen centres;</li> <li>• Recreation Reserves;</li> <li>• Leisure Centres;</li> <li>• Open Space and Drainage reserves with play spaces and/or hard surface footpaths;</li> <li>• High use open Spaces and Drainage Reserves without play spaces and/or hard surface footpaths;</li> <li>• Off-street car parks;</li> <li>• Council owned or managed Community Centres;</li> <li>• Walkways in commercial and residential precincts with a hard-surfaced footpath that provides access to Council managed land.</li> </ul> <p>b) Council does not contribute to the costs of major repair and replacement of fences that that form a dividing fence with private properties and the following Council managed reserves and facilities and circumstances:</p> <ul style="list-style-type: none"> <li>• Low use open Spaces used by less than 10 people per day for exercise or recreation; and Drainage Reserves without play spaces and/or hard surface footpaths;</li> <li>• Nature reserves and rural properties;</li> <li>• Tree Reserves next to a Council or Regional Roads Victoria managed road;</li> <li>• Council Roads and Right of Ways;</li> <li>• Regional Roads Victoria Roads and Right of Ways;</li> <li>• Laneways and walkways in Industrial precincts;</li> </ul> <p>c) Council does not contribute to the costs the construction of a new fence that that forms a dividing fence with private properties that has not been previously fenced.</p>	<p>Clarity about responsibility for the cost of repair or replacement of dividing fences damaged due to negligent acts, wilful acts or acts of god and that such damage should be subject to an insurance claim by the property owner.</p>
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## Half Cost Fencing Policy – Changes and Updates

		d) Council only contributes to the cost of the replacement of fences that are in a non-serviceable condition and at an age as would be expected for standard fence at the end of its serviceable life – that is consistent with the concept of asset “renewal”.	Clarifies that the policy only applies to major repairs and replacement consistent with Asset Renewal as property owners may have a different level of service expectation.
4) Related Additional Documents		<p><b>Definitions:</b></p> <p><i>Authorised Officer of the Council</i> – a Council officer who is authorised to act as Council’s agent for the purposes of undertaking Council’s obligations under the Fences Act 1968.</p> <p><i>Council owned land</i> – land for which Latrobe City is the registered proprietor.</p> <p><i>Fence</i> – for the purposes of this policy the terms fence and fencing will mean ‘dividing fence’ as defined in the Fences Act 1968.</p> <p><i>Sufficient dividing fence</i> – has the same meaning as ‘Sufficient dividing fence’ as it appears in the Fences Act 1968.</p> <p><i>Half Cost Fencing</i> – whereby the Council shares the cost of major repair or replacement of dividing fences between Council owned and other land in accordance with the provisions of the Fences Act 1968</p> <p><b>Related Documents:</b></p> <p>Fences Act 1968</p> <p>Fencing Amendment Act 2014</p> <p>Local Government Act 1989</p> <p>Local Government Act 2020</p>	
5) Description	<p><b>Policy Implementation:</b></p> <p>The Council's Responsibility:</p> <p>1) Latrobe City will contribute half of the cost of the construction, replacement or maintenance of a standard fence abutting a Council owned property.</p>	<p><b>Council's Responsibility under this policy:</b></p> <p>Latrobe City will contribute half of the cost of the replacement of a standard fence abutting a Council owned or managed property, consistent with the terms of this policy.</p> <p>Latrobe City will contribute half of the cost of a standard fence where a property owner wishes to construct an approved non-standard fence of greater cost.</p>	



## Half Cost Fencing Policy – Changes and Updates

	<p>2) Latrobe City will contribute half of the cost of a standard fence where a property owner wishes to construct an approved non-standard fence of greater value.</p> <p>3) The Council is not responsible for contributing to the cost of the construction, maintenance or replacement of a fence abutting a "road" as defined by the Road Management Act, Clause 9 of the Latrobe City Council Local Law No. 2 or as shown on a Plan of Subdivision.</p> <p>4) Fencing Standards Latrobe City Council has defined the following as standard fences for urban and rural areas:</p> <p>5) Urban Standard Fence:- 1650mm High paling fence with concrete posts at 2700mm centres; hardwood rails at the top and bottom and a 75mm x 38mm hardwood rails at the centre; a 150mm x 38mm concrete plinth; and 12mm thick by 1500mm long hardwood palings with tops sawn to line.</p> <p>6) Rural Standard Fence:- 1200mm high post and wire fence with 5 no barbed wires and fence 100mm diameter treated pine posts at 3000mm centres.</p> <p>The Property Owner's Responsibility</p> <p>1) The property owner must obtain and submit to Latrobe City three (3) written quotations from reputable and recognised fencing contractors or builders along with a Notice to Fence</p>	<p>Latrobe City reserves the right not to contribute more than half the cost of a fence in accordance with current prevailing rates tendered to Council for the provision of similarly specified fences.</p> <p>Consistent with other provisions of this policy Latrobe City will contribute to the costs:</p> <ul style="list-style-type: none"> <li>Of major repair or replacement of a dividing fence between Council owned land and adjoining land, including laneways and walkways that principally provide access to Council owned land, reserves and parks if notice is served upon the Council (as if it were an owner) by an adjoining land owner in accordance with the provisions of the Fences Act 1968;</li> <li>Of major repair or replacement of a dividing fence between Crown land for which Council is the Committee of Management (COM) and adjoining land, including laneways and walkways that principally provide access to the land for which Council is the COM if notice is served upon the Council (as if it were an owner) by an adjoining land owner in accordance with the provisions of the Fences Act 1968.</li> <li>If, in the opinion of the Council, the use of the land, park or reserve warrants an alternative style, design or construction of dividing fence, Council reserves the right to decide to construct a sufficient dividing fence rather than a standard 1630mm high paling fence.</li> </ul> <p>Consistent with other provisions of this policy Latrobe City not will contribute to the costs:</p> <ul style="list-style-type: none"> <li>Construction, repair or replacement of a fence that is not a property boundary fence in respect of Council owned or managed land.</li> <li>Construction, repair or replacement of a fence adjacent a road as defined in the Local Government Act 1989.</li> <li>Replacement of a dividing fence if in the opinion of the authorised officer/s of the Council it is more cost effective and environmentally responsible to repair the fence.</li> <li>Construction, repair or replacement of a dividing fence if the work is carried out prior to an authorised officer having opportunity to assess the condition of the fence.</li> <li>Construction, repair or replacement of a dividing fence if the work is carried out prior to notice being served upon Council (as if it were an owner) in accordance with the provisions of the Fences Act 1968.</li> </ul>	<p>Caps Latrobe City contribution to reasonable and demonstrated market rates for the fencing works. Procedurally property owners can accept a higher priced quote from a reputable fencing contractor but Latrobe City's contribution is tied to reasonable market rates.</p> <p>Previously some walkways that access Council reserves were excluded on the basis that they are classified as a "road" as defined in the Local Government Act 1989 and hence exempt from Half Cost Fencing. Consistent with the objectives of this policy I terms of public amenity and safety contribution in these circumstances is warranted.</p>
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## Half Cost Fencing Policy – Changes and Updates

	<p>pursuant to the Fences Act 1968.</p> <p>2) In addition it is the property owners responsibility:-</p> <ul style="list-style-type: none"> <li>• To obtain approval from Latrobe City to construct a non standard fence abutting a Council owned property prior to construction.</li> <li>• To obtain prior approval from Latrobe City to construct a gate at a boundary fence to access a Council Reserve and to pay all costs associated with the construction, maintenance or replacement of the gate.</li> <li>• To pay all costs associated with the repair or replacement of any damaged section of a boundary fence abutting a Council owned property where damage has occurred through the action or neglect of the property owner or occupier.</li> <li>• To comply with the procedures developed and implemented by Latrobe City in respect of fencing construction requirements.</li> </ul> <p>Gates at Recreation Reserves:</p> <p>1) Latrobe City will not grant approval to any property owner to construct a pedestrian or vehicle access gate at a boundary fence to access a Council recreation reserve.</p> <p>2) Property owners will remove an existing pedestrian or vehicle access gate at a boundary fence that accesses a Council recreation reserve when the</p>	<ul style="list-style-type: none"> <li>• Any additional costs associated with accoutrements over and above a standard 1630 mm high timber paling fence.</li> <li>• Fencing of land that is Crown land and for which Council is not the COM.</li> <li>• Construction, repair or replacement of dividing fences if the conditions of this policy are not satisfied or the circumstances are not clearly within this policy.</li> </ul> <p><b>Fencing Standards:</b></p> <p>Latrobe City Council has defined the following as standard fences for urban and rural areas.</p> <p><b>Urban Standard Fence:</b></p> <p>A 1650mm high paling fence with concrete posts at 2700 mm centres; hardwood or treated pine rails at the top and bottom and a 75mm x 38mm hardwood or treated pine rail at the centre; a 150mm x 38mm concrete plinth; and 12mm thick by 1500mm long hardwood or treated pine palings with tops and bottoms sawn to line.</p> <p><b>Rural Standard Fence:</b></p> <p>A 1200mm high post and wire fence with 5 non-barbed wires and 100mm diameter treated pine posts at 3000mm centres.</p> <p><b>The Property Owner’s Responsibility under this policy:</b></p> <p>In support of property owners request for Council to share the cost of the replacement of an abutting fence, the property owner must obtain and submit to Latrobe City three (3) written quotations from reputable and recognised fencing contractors or builders and submit to Council a Notice to Fence pursuant to the Fences Act 1968.</p> <p>It is the property owner’s responsibility:</p> <ul style="list-style-type: none"> <li>• To obtain approval from Latrobe City to construct a non-standard fence abutting a Council owned property prior to construction.</li> <li>• To engage a reputable fencing contractor to undertake the agreed works.</li> <li>• To pay all costs associated with the repair or replacement of any damaged section of a boundary fence abutting a Council owned</li> </ul>	
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## Half Cost Fencing Policy – Changes and Updates

	boundary fence is being replaced.	property where damage has occurred through the action of the property owner or occupiers negligent, wilful acts or acts of god. • To comply with the procedures developed and implemented by Latrobe City in respect of fencing construction requirements.	
6) Document Control		<p><b>Document Control:</b></p> <p>The policy will be maintained, implemented, and reviewed by the Coordinator Infrastructure Planning.</p> <p>The policy will be accessible to the community at the following locations:</p> <ul style="list-style-type: none"> <li>• Council's Website</li> </ul> <p>This policy will be communicated to key internal stakeholders, such as Council's Rate Department, Property Services Department and Customer Services Department.</p> <p>The policy will be monitored and evaluated at least every four years. This will include an analysis of cost, customer feedback and issues arising from use of the policy.</p>	
7) Internal Review		<p>Manager City Assets Coordinator Customer Focus Manager Safe Communities</p>	

# **URGENT BUSINESS**

## 10. URGENT BUSINESS

Business may be admitted to the meeting as urgent business in accordance with clause 17 of the Governance Rules, by resolution of the Council and only then if it:

- 17.1 Relates to or arises out of a matter which has arisen since distribution of the agenda; and
- 17.2 Cannot reasonably or conveniently be deferred until the next Council meeting.

# **REPORTS FOR NOTING**

## 11. REPORTS FOR NOTING

Item Number 11.1

05 September 2022

Community Health & Wellbeing

# FREEWAY OVERHEAD SIGNAGE

## PURPOSE

The purpose of this report is to finalise a request made via a Notice of Motion regarding overhead signage on freeways within Latrobe City for tourism and other messaging purposes.

## EXECUTIVE SUMMARY

- A Notice of Motion was adopted on 5 February 2018 seeking a report on installation of digital signage on overhead bridges including options for partnerships and government funding for promotion and branding.
- At the 3 May 2021 Council meeting a report was considered that outlined the efforts of officers to progress the Notice of Motion. This report summarised the communications from Regional Roads Victoria (RRV) not to allow the use of freeway overhead signage for tourism messaging.
- The report also noted other efforts of the Latrobe Valley Authority and Destination Gippsland to advocate for a change to the RRV position.
- After this meeting further detail regarding the Tourism Highway Signage project was requested.
- The Tourism Highway Signage project is a \$100,000 grant from Department of Jobs, Precincts and Regions to upgrade existing scenic routes 98 (Power Trail), 94 (Strzelecki Drive) and 91 (Walhalla and Mountain Rivers) with billboards, highway signage, directional signage to the Visitor Information Centre and long bay vehicle parking as well as directional signage for attractions along with collateral such as brochures and mapping.
- The works undertaken as part of this grant will be completed in coming weeks. The final set of signs have been ordered and the grant will shortly be acquitted.
- It is considered that all elements of the Notice of Motion have been responded to by obtaining State Government grant funding to signage and collateral promote tourism in the Latrobe region.
- In relation to advocacy of the Latrobe Valley Authority and Destination Gippsland, an update was sought from them and officers were advised that agencies were not receptive to the attempts.

## OFFICER'S RECOMMENDATION

**That Council receive and note the information in this report.**

## BACKGROUND

The following notice of Motion was carried unanimously on 5 February 2018:

*That Council:*

- 1. Requests a report to be brought back to Council exploring the options of the installation of large digital signage on the overhead bridges of Princes Freeway in Latrobe City; and*
- 2. Explore the options of Public - Private Partnership, costs and revenue streams.*
- 3. Explore Federal and State funding for ongoing promotion and branding of Latrobe City via these digital signs and events within our city.*

Councillors have previously been advised that:

- Officers had been seeking information on the possibility to install signage on overhead bridges since 2018;
- The response from Regional Roads Victoria (RRV) had been that their policy does not currently allow for this type of signage in a rural area;
- Destination Gippsland in conjunction with the Latrobe Valley Authority are working on a project that will seek to change or negotiate an exemption from the current RRV policy.

## ANALYSIS

It is considered that all elements of the Notice of Motion have been responded to by obtaining State Government grant funding to signage and collateral promote tourism in the Latrobe region. The action in relation to the Notice of Motion will be formally closed.

The Tourism Signage Project included 43 sign blades, 20 larger directional signs, Route 91 billboard, Route 94 billboard, long vehicle signage for the Visitor Information Centre, Gippsland Performing Arts Centre directional signage, itinerary brochures (scenic drive, see and do, dining guides) and a variety of recreation venue signage.

## RISK ASSESSMENT

RISK	LIKELIHOOD	TREATMENT
STRATEGIC (INC REPUTATIONAL)  Inadequate tourism signage	Unlikely	Council is progressing a variety of projects to improve tourism such as the branding project and social media

## CONSULTATION

Consultation is not required for this specific issue. Prior consultation with stakeholders has occurred on other elements.

## COMMUNICATION

There are no communication requirements.

## DECLARATIONS OF INTEREST

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

## APPENDIX 1 IMPACT ASSESSMENT

### **Social**

The Tourism Signage Project may have a general positive impact on the community's wellbeing.

### **Cultural**

Not applicable.

### **Health**

Upgraded collateral will support visitation to attractions with potential for positive health outcome for our community and visitors.

### **Environmental**

Not applicable.

### **Economic**

The Tourism Signage Project will generally encourage economic activity. Upgraded collateral will support visitation to attractions.

### **Financial**

The Tourism Highway Signage project is a \$100 000 grant from Department of Jobs, Precincts and Regions to upgrade signage and collateral. This grant will shortly be acquitted.

### **Attachments**

Nil



## **12. QUESTIONS ON NOTICE**

Nil reports

# **NOTICES OF MOTION**

### 13. NOTICES OF MOTION

#### **13.1 2022/07 NEWBOROUGH MEN'S SHED**

##### **Cr Sharon Gibson**

I, Cr Sharon Gibson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday 5 September 2022:

**That the Chief Executive Officer present a report at a future Council meeting identifying any land including, but not limited to, that owned or managed by Council or the Department of Environment, Land, Water and Planning which may be suitable for the location of a Men's Shed in the Newborough area.**

Signed

Cr Sharon Gibson

19 August 2022

##### **Attachments**

Nil

### **13.2 2022/08 REDUCTION OF LITTERING IN LATROBE CITY**

**Cr Sharon Gibson**

I, Cr Gibson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 5 September 2022:

**That Council receive a report at a future meeting regarding any initiatives being implemented to address littering across the municipality together with the impact on the health of creeks and waterways and that this report include an analysis of additional programs or strategies that could be developed to further enhance these efforts.**

Signed

Cr Sharon Gibson

22 August 2022

#### **Attachments**

Nil

### **13.3 2022/09 OFFICERS RESPONSE TO DOG ATTACKS IN LATROBE CITY**

**Cr Dale Harriman**

I, Cr Dale Harriman, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 5 September 2022:

**That Council receives a report, presented to a future Council meeting, that considers the following related to potential and confirmed dog attacks:**

- a. What options are available to Council in relation to how it manages the seizure of registered and unregistered dogs, particularly relating to options for the automatic seizure of dogs accused of being involved in an attack.**
- b. Section 81 of the Domestic Animals Act 1994 (Seizure of dog urged or trained to attack or having attacked) in relation to how Council manages dog attacks and dog seizures.**
- c. How Council's fees and charges could be modified to implement a cost recovery model for seized dogs.**
- d. The options available related to response protocols in the process of responding to attacks, noting specifically that attacks can be highly traumatic and potentially damaging to members of our community.**

Signed

Cr Dale Harriman

30 August 2022

#### **Attachments**

Nil

### **13.4 2022/10 AVAILABILITY OF RENTAL PROPERTIES IN THE MUNICIPALITY**

#### **Cr Melissa Ferguson**

I, Cr Melissa Ferguson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 05 September 2022:

**That Council undertake a communication program (costing no more than \$5000) to encourage property owners with vacant secondary properties to add them to the local rental market to assist with easing the current housing crisis.**

Signed

Cr Melissa Ferguson

23 August 2022

#### **Attachments**

Nil

### **13.5 2022/11 VOLUNTEERISM IN LATROBE CITY**

#### **Cr Melissa Ferguson**

I, Cr Melissa Ferguson, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 05 September 2022:

**That Council receive a report on the contributions of community members to volunteer efforts which includes information on the value of the work of volunteers and community groups in our municipality and options around a communication strategy to bring large scale awareness of what volunteers contribute to the community and promote volunteerism.**

Signed

Cr Melissa Ferguson

31 August 2022

#### **Attachments**

Nil

# ITEMS FOR TABLING



## 14. ITEMS FOR TABLING

**Agenda Item:** 14.1

**Agenda Item:** **Petition for Additional Car Parking at Morwell Park Primary School**

**Sponsor:** **General Manager, Regional City Planning and Assets**

### **Executive Summary:**

- Latrobe City Council (Council) has been presented with a petition (Attachment 1) containing 21 signatures requesting Council provide additional car parking at Morwell Park Primary School.
- This report is being presented to Council in accordance with Section 4.5 of the *Council Meetings Policy*, requesting that the petition lay on the table.
- The purpose of laying the petition on the table is to bring to the Council's attention the petition, the terms of the petition and to allow time for a detailed report to be prepared for the consideration of Council.
- No debate or discussion will be entered into when the petition is tabled, however can occur when the petition is brought back to Council in a further report.

### **Proposed Resolution:**

#### **That Council:**

1. **In accordance with the *Council Meetings Policy*, agrees to lay the petition requesting *Additional Car Parking at Morwell Park Primary School*, on the table until the Council Meeting to be held on 3 October 2022;**
2. **Requests a report be prepared for the 3 October 2022 Council Meeting detailing (but not limited to) the implications, issues and options surrounding the request and details of the petition; and**
3. **Advises the head petitioner of this decision in relation to the petition.**

### **Background:**

Latrobe City Council (Council) has been presented with a petition (Attachment 1) containing 21 signatures requesting Council provide additional car parking at Morwell Park Primary School.

The petition statement outlines the following:

*We, the undersigned concerned citizens wish to inform the Latrobe City Council of the need for additional carparking at Morwell Park Primary School along Burnside Drive, Morwell. We ask that the Latrobe City Council to provide additional carparking to allow parents to safely drop their children at school.*

This report is being presented to Council in accordance with Section 4.5 of the *Council Meetings Policy*, requesting that the petition lay on the table.

The purpose of laying the petition on the table is to bring to the Councils attention the petition, the terms of the petition and allow time for a detailed report to be prepared for the consideration of Council. No debate or discussion will be entered into when the petition is tabled, however it can occur when the petition is brought back to Council in a further report.

In accordance with Council's *Council Meetings Policy*, a petition is required to lie on the table unless it is an item of urgent business.

A report for decision on this petition will be presented at the 3 October 2022 Council Meeting.

**Declaration of Interests:**

Officers preparing this report have declared they do not have a conflict of interest in this matter under the provisions of the *Local Government Act 2020*.

**Supporting Documents:**

Nil

**Attachments**

1. Attachment 1- Petition Submissions for Additional Car Parking at Morwell Park Primary School (Published Separately)

This attachment is designated as confidential under subsection (f) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. The petition contains personal information of submitters.

**15. ACKNOWLEDGEMENTS**

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

**MEETING CLOSED TO  
THE PUBLIC TO  
CONSIDER  
CONFIDENTIAL  
INFORMATION**

## **16. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION**

Section 66 of the Local Government Act 2020 enables Council to close the meeting to the public to consider confidential information as defined in that Act.

### **Proposed Resolution:**

**That Council pursuant to section 66(1) and 66(2)(a) of the Local Government Act 2020 (the Act) close the Council Meeting to the public to consider the following items containing confidential information as defined in section 3(1) of the Act:**

- 16.1 Latrobe Valley Racing Club and the Glenview Park Master Plan**  
Agenda item 19.1 *Latrobe Valley Racing Club and the Glenview Park Master Plan* is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—
- (i) relates to trade secrets; or**
  - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. The report includes confidential information about Council's lease with the Latrobe Valley Racing Club**
- 16.2 Moe Racing Club**  
Agenda item 19.2 *Moe Racing Club* is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—
- (i) relates to trade secrets; or**
  - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**
- 16.3 Social Media Strategy Actions**  
Agenda item 19.3 *Social Media Strategy Actions* is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government*

**Act 2020, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—**

**(i) relates to trade secrets; or**

**(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. The information was provided by an independent consultant.**

**Releasing this advice publicly could result in commercial disadvantage by disclosing their intellectual property to industry competitors.**

- 16.4 Riverslea Boulevard, Traralgon - Flash Flood Response**  
**Agenda item 19.4 *Riverslea Boulevard, Traralgon - Flash Flood Response* is designated as confidential under subsection (e) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to legal privileged information, being information to which legal professional privilege or client legal privilege applies. The property owner has retained Legal Council to represent them in a potential claim.**
- 16.5 Lake Narracan Caravan Park**  
**Agenda item 19.5 *Lake Narracan Caravan Park* is designated as confidential under subsection (a) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. This decision relates to a future commercial commitment of Council**
- 16.6 LCC-759 Toners Lane Reserve Archery Pavilion**  
**Agenda item 19.6 *LCC-759 Toners Lane Reserve Archery Pavilion* is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—**  
**(i) relates to trade secrets; or**  
**(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**  
**Contractual matter.**
- 16.7 LCC-760 Provision of Urban Block Pruning**

**Agenda item 19.7 LCC-760 Provision of Urban Block Pruning is designated as confidential under subsection (g) of the definition of confidential information contained in section 3(1) of the *Local Government Act 2020*, as it relates to private commercial information, being information provided by a business, commercial or financial undertaking that—**

- (i) relates to trade secrets; or**
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.**

**contractual matters**