LATROBE CITY COUNCIL

AGENDA FOR THE COUNCIL MEETING

TO BE HELD IN KERNOT HALL, MORWELL AND VIA AUDIO-VISUAL LINK AT 6:00PM ON 06 MAY 2024 CM604

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.

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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 Brayakaulung 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. APOLOGIES AND LEAVE OF ABSENCE

3. ADOPTION OF MINUTES

Proposed Resolution:

That Council confirm the minutes of the Council Meeting held on 8 April 2024.

4. DECLARATION OF INTERESTS

5. PUBLIC PARTICIPATION TIME

Public Questions on Notice

In Accordance with the Governance Rules, 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.

STRATEGIC ITEMS FOR DECISION

EVENTS & VISITOR ECONOMY STRATEGY

PURPOSE

To seek Council approval to release the draft Latrobe City Events and Visitor Economy Strategy 2024-2028, to the public for community consultation.

EXECUTIVE SUMMARY

- The purpose of the Events and Visitor Economy Strategy 2024-2028 is to deliver a collective vision for Latrobe City's events and the visitor economy. The draft Strategy (attached) provides clarity and direction on the objectives and priorities for attracting and maximising events and the visitor economy in the municipality.
- The draft Strategy provides a proposed vision, values, and four strategic priorities, as well as a strategic framework for developing and sustaining a portfolio of exciting and engaging major tourism events. The Strategy will be instrumental in stimulating economic growth and drawing and captivating visitors, enhancing the liveability of Latrobe City for residents, and generating community pride.
- Council appointed expert tourism and events consultants, Tilma Group Pty Ltd, to develop a new Strategy following expiration of the previous Events and Tourism Strategy in 2022.
- In developing the draft Strategy, Tilma Group offered and undertook several stakeholder engagement sessions in the region with a diverse cross section of the community, including event organisers, community groups, accommodation operators, Councillors and the Executive Team.
- The consultants distilled the stakeholder engagement conversations through a comprehensive discussion paper that provided a platform for robust discussions on the critical elements of a Latrobe City Events and Visitor Economy Strategy. Discussions on this paper were held with the Tourism and Major Events Advisory Committee (TAMEAC) and the Executive Leadership Team (ELT).
- The draft Strategy draws together findings from the initial engagement sessions and reflects the views of stakeholders on the challenges and opportunities for events and tourism development in Latrobe City.
- If endorsed, the draft Strategy will be released to the public for their feedback over a period of four weeks, via the 'Have Your Say' page on the Council website, social media and the Council Noticeboard. Feedback gathered from the public and other stakeholders will inform the development of the final Events and Visitor Economy Strategy.

OFFICER'S RECOMMENDATION

That Council releases the draft Latrobe City Events and Visitor Economy Strategy 2024-2028 to the public for community consultation for a period of four weeks.

BACKGROUND

Council's Events and Tourism Strategy lapsed in December 2022. This document had been a strategic pillar informing the development and promotion of major events and tourism in the municipality. A new, focused plan is now needed to provide a strategic framework moving forward.

Following a Request for Tender process, Council appointed the Tilma Group Pty Ltd to develop a new Strategy.

An inception meeting was held between Council officers and Tilma representatives on 5 September 2023, and a project plan and timeline developed.

ANALYSIS

The Tilma Group offered and undertook several stakeholder engagement sessions in the region during the week of 6 November 2023. Stakeholders included a cross section of the community, including event organisers, community groups, accommodation operators, Councillors and Executive.

The consultants in the first instance prepared a discussion paper to provide a platform for robust discussions on the critical elements of a Latrobe City Events and Visitor Economy Strategy. The draft discussion paper draws together findings from the initial engagement sessions and included an analysis of existing strategies and reports. The discussions, along with the information obtained from the engagement sessions referred to above, were then utilised to inform the preparation of the draft Strategy.

The draft Strategy will be released to the public for their feedback via the 'Have Your Say' page on the Council website, social media and Council Noticeboard. Feedback gathered from the public and other stakeholders will inform the development of the final Events and Visitor Economy Strategy.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
SERVICE DELIVERY Recommendations from the Strategy are unable to be fulfilled.	**Low** *Unlikely x Minor*	Development of the draft Strategy has occurred with significant involvement from relevant stakeholders.
FINANCIAL Financial cost to implement the recommendations in the Strategy.	**Low** *Unlikely x Minor*	Yearly planning and budgeting across the Strategy's life cycle 2024-2028.

RISK	RISK RATING	TREATMENT
STRATEGIC Strategy does not meet community expectations.	**Low** *Unlikely x Minor*	Release of the draft plan to community for consultation and broad engagement across Council departments.

CONSULTATION

The Tilma Group undertook stakeholder engagement sessions and additional consultation through TAMEAC and Executive Team as detailed in this report.

COMMUNICATION

The draft Events and Visitor Economy Strategy 2024-2028 will be released to the public for their feedback via the 'Have Your Say' page on the website, social media and Council Noticeboard, for a period of four weeks.

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 social value of events and the visitor economy are highlighted throughout the Strategy. Social benefits range from growing community pride, offering positive value for residents of all ages and celebrating our heritage and the Gunaikurnai culture.

Cultural

The Strategy recognises the importance of Latrobe City being a culturally diverse community, due to its history of welcoming generations of migrants and refugees.

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

An important value in the new Strategy is hosting events that respect and nurture our natural environment with a focus on educating and engaging event attendees and suppliers on sustainable behaviours.

Economic

The Strategy recognises that major events generate considerable economic opportunities for local businesses and the region and its important contribution to help grow regional gross domestic product and offer strong return on investment.

Financial

Funding for the development of the new Strategy is covered within the Events and Tourism budget, any new initiatives with financial implications will be considered through the yearly planning and budgeting process across the Strategy's life cycle 2024-2028.

Attachments

1. Latrobe City Events & Visitor Economy Strategy

6.1

Events & Visitor Economy Strategy

1 Latrobe City Events & Visitor Economy Strategy 12

LatrobeCity

Events and Visitor Economy Strategy

2024-2028

Cover image: Boolarra Folk Festival

Community Vision 2031

The community's vision to 2031 includes the ambition to be smart, creative, healthy, sustainable, and connected; to be the most liveable regional city; and at the forefront of innovation.

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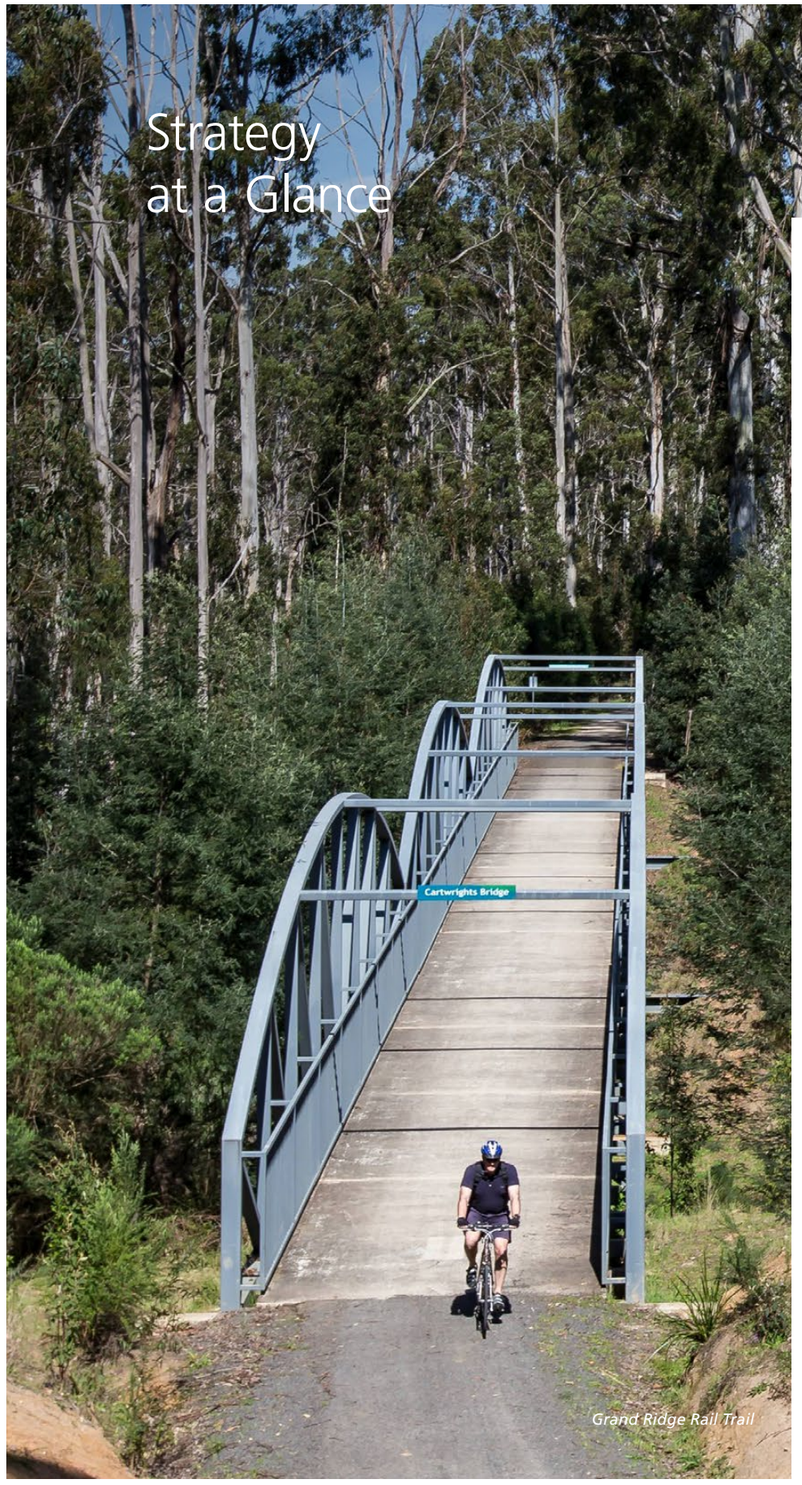


Grand Ridge Rail Trail

Strategy at a Glance

The Latrobe City Events and Visitor Economy Strategy delivers a collective vision for Latrobe City's events and visitor economy. Goals and priorities frame the direction for attracting and maximising events and for the visitor economy in the municipality over the next five years and beyond.

Events are the hook that create a reason to visit and spend in the local visitor economy, build Latrobe City's profile, change perceptions, and enhance pride and liveability for the local community.

Pillars of the Strategy

Events: Events are the heart of the Strategy, recognising that Latrobe City's strength is in its capacity to deliver events of regional, state, and national significance.

Visitor Economy: Enabling the emerging visitor economy to grow to maximise outcomes from events and support year-round visitation.

Identity: Creating a strong, united voice and common identity for Latrobe City that is supported by community and industry, and appeals to visitors.

Vision

Events and Visitor Economy Vision 2028

Our dynamic and compelling events calendar and emerging visitor experiences capitalise on the City's strengths and create a sense of genuine connection for visitors and the community that inspires and enhances pride and liveability.

Community Vision 2031

The community's vision to 2031 includes the ambition to be smart, creative, healthy, sustainable, and connected; to be the most liveable regional city; and at the forefront of innovation.

Values

Economic: We generate economic opportunities for our local businesses and community.

Brand and reputation: We have a strong identity and sense of place.

Social: We make a positive difference to our culture and community.

Environmentally sustainable: We champion the protection and nurturing of our natural environment.

Accessible and inclusive: We are inclusive and welcoming for all people.

Goals

Visitor spend

Positive perception

Community benefit

Strategic Priorities

1. Building visitor awareness and local pride and advocacy in the destination
2. Growing and sustaining our competitiveness as an events destination
3. Maximising economic and social outcomes from events and the visitor economy
4. Fostering connections and partnerships

Purpose

In the heart of Gippsland, Latrobe City is building on and transforming its industrial might, moving from traditional power supply to renewable energies as a future focused, sustainable city. The community's vision to 2031 includes the ambition to be smart, creative, healthy, sustainable, and connected; to be the most liveable regional city; and at the forefront of innovation.

The cornerstone of the Strategy is building on and enhancing Latrobe City's strength in events to grow the visitor economy. Events are the hook that create a reason to visit and spend in the local visitor economy, build Latrobe City's profile, change perceptions, and enhance pride and liveability for the local community. The visitor economy, through experiences offered, provides more reasons for visitors to stay overnight and spend more in the local community.

The opportunity ahead is to grow Latrobe City's strength as a regional leader in events, and enable events to fully deliver the economic and social benefits they offer to the community.

As a city in transition, with renewal projects leading to investment in key venues, there are exciting opportunities for events and the visitor economy. Latrobe City's identity is transforming, and events and the visitor economy will help shape that identity.

The purpose of this Events and Visitor Economy Strategy is to deliver a collective vision for Latrobe City's events and the visitor economy. It is a strategy that provides clarity and direction on the goals and priorities for attracting and maximising events and the visitor economy in the municipality over the next five years and beyond through the city's transformation.

Visitor economy is a contemporary definition of tourism, including people travelling not just for leisure, but for events, business, work, education or visiting friends and relatives. It brings together the wide range of industries that provide visitors with goods and services, both directly such as accommodation, cafes, restaurants, bars, transport providers, tour companies, and attractions, as well as indirectly, such as retail, medical, and food production.

THE RELATIONSHIP OF EVENTS IN THE VISITOR ECONOMY

Events are important catalysts for tourism and economic development: three-quarters of event attendees would not have gone to a destination if not for an event. For 57% of first-time visitors and 69% of repeat visitors to a destination, an event is the main reason for visiting, and most event attendees intend to return to the host destination in the future.

Attendees become destination advocates through word-of-mouth promotion: 59% of attendees provide positive word of mouth recommendations of the event to others, and 42% of the destination.

Events can position a destination; and boost awareness, identity and appeal in the minds of visitors and the community of the destination as a centre of sport, arts, culture or industry. The identity and appeal is the catalyst for participants and spectators returning as visitors, business and infrastructure development, and community pride and connectedness.

Events are an important tool to support and showcase the municipality's values and aspirations, including environmental responsibility and sustainability, social diversity, innovation and growth. They encourage and facilitate community pride, tolerance and connectedness, and foster creativity.

Events build community, bring together young and old and disparate subcultures, create a sense of belonging for the different members of the community, and celebrate community values.

(Source: Tourism Research Australia, 'Events: Drivers of Regional Tourism', 2014)

The Strategy

Image caption

Pillars of the Strategy

The Events and Visitor Economy Strategy has three core pillars:

EVENTS

Events are the heart of the Strategy, recognising that Latrobe City's strength is in its capacity to deliver events of regional, state, and national significance.

VISITOR ECONOMY

Enabling the emerging visitor economy to grow to maximise outcomes from events and support year-round visitation.

IDENTITY

Creating a strong, united voice and common identity for Latrobe City that is supported by community and industry, and appeals to visitors.

Vision

EVENTS AND VISITOR ECONOMY VISION 2028

Our dynamic and compelling events calendar and emerging visitor experiences capitalise on the City's strengths and create a sense of genuine connection for visitors and the community that inspires and enhances pride and liveability.

COMMUNITY VISION 2031

The community's vision to 2031 includes the ambition to be smart, creative, healthy, sustainable, and connected; to be the most liveable regional city; and at the forefront of innovation.

Values

Our values underpin all we aim to achieve through the Strategy. They will feature throughout our delivery, interaction, and decision making as we work towards our vision.

ECONOMIC

We generate economic opportunities for our local businesses and community.

BRAND AND REPUTATION

We have a strong identity and sense of place.

SOCIAL

We make a positive difference to our culture and community.

ENVIRONMENTALLY SUSTAINABLE

We champion the protection and nurturing of our natural environment.

ACCESSIBLE AND INCLUSIVE

We are inclusive and welcoming for all people.

Goals

Three goals together with the values will guide measurement of the outcomes achieved in the implementation of the Strategy.

VISITOR SPEND

Drive economic growth through increased visitor stay and spend.

POSITIVE PERCEPTION

Transform the profile and perceptions of Latrobe City.

COMMUNITY BENEFIT

Maximise social benefits and community well-being from events and visitor economy.

Strategic Context

International Rose Garden Festival

Strategic Alignment

The Strategy has been developed to align with local, regional and state strategies to provide a long-term coordinated approach. The Strategy sits under Latrobe City Council's Corporate Plan and will support achievement of the Council's Community Vision.

Victoria

- Experience Victoria 2033.
- Visitor Economy Recovery and Reform Plan 2021

Gippsland Region

- Gippsland Regional Events Strategy 2020-2025
- Latrobe Valley and Gippsland Transition Plan
- The Gippsland Regional Plan 2020 – 2025
- Gippsland Aboriginal Economic Development Strategy 2021
- Towards 2030-Gippsland Destination Management Plan 2022
- Gippsland Regional Economic Development Strategy 2022

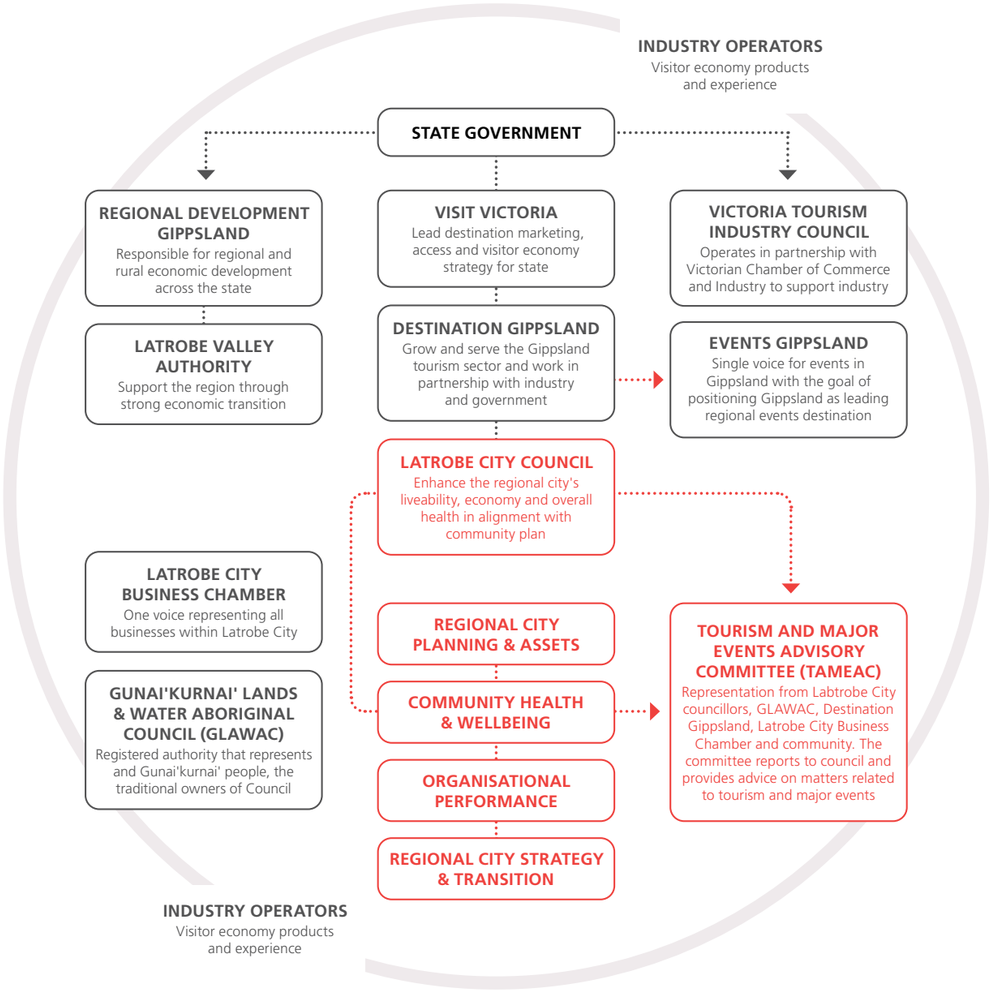
Latrobe City

- Latrobe City Council Plan 2021-2025 (including Community Vision)
- Latrobe City Transition Plan
- Latrobe City Place Brand- Life Transformed
- Latrobe Sustainability Action Plan 2023-2033
- Latrobe Events and Tourism Strategy 2024-2028

Events & Visitor Economy Strategy

Visitor Economy Governance

Successful implementation of the Strategy is dependent upon the multiple partners in Latrobe City's visitor economy, each with a specific role



Forces shaping events and the visitor economy

The following provides an overview of macro trends influencing consumer behaviour, presenting opportunities for Latrobe City events and visitor economy.

BUILDING PRESSURES ON EVENT VIABILITY

Events are risky, increasingly competitive, and resource intensive.

Costs to deliver events have skyrocketed in recent years, while grant and sponsorship opportunities have reduced; many events are dependent on annual grants to cover operational costs.

Attendee behaviour is changing, such as purchasing tickets last minute.

More Australians are interested in 'casual' volunteering within a defined (short) timeframe, rather than being willing to support the perpetuity of an annual event.

QUALITY OVER QUANTITY

Today's event attendees and leisure visitors want interactive and immersive experiences that connect them to locals and local culture, and provide them with a sense of place.

Destinations are focusing on attracting fewer visitors with higher per capita value and therefore lower negative impact, rather than trying to attract many lower value attendees.

TRAVEL WITH PURPOSE

Today's travellers increasingly want to connect with our extraordinary planet. Two thirds of Australians are looking for purposeful travel where there are opportunities to give back to the destination, and are seeking experiences that bring self-discovery and growth, enriching their lives through experiences and learning.[1] Around three quarters of travellers are seeking out sustainable options.[2]

CLIMATE CHANGE AND THE NEXT ECONOMY

Prioritising the longevity of a destination, and its ability to cope with the impacts of climate change, rather than prioritising short-term targets for visitor numbers will help meet travellers' expectations for sustainability, and reduce damage to sensitive natural environments.

Business events can help local businesses effectively navigate a local economy's transition during the global shift to the next economy.

WELLNESS

Travellers are placing more importance on health and wellness. Prior to the pandemic, global wellness travel was forecast to grow at twice the rate of average tourism growth, jumping from $639 billion in 2017 to $919 billion in 2022[3].

Events that incorporate wellness elements or connect with wellness experiences have the potential to support Victoria's efforts to complete globally.

INCLUSION

Hosting events and delivering visitor experiences and services that are inclusive is not a passing trend, and nor is it optional.

One in six (18%) people in Australia have disability (about 4.4 million people) and almost half (44.5%) of all people with disability all people with disability in Australia are aged 65 and over.[4] With the ageing population, an already large market is set to grow further.

Events and visitor experiences should reflect the diversity of the community – on the organising committee, on stage, and amongst attendees. It's about catering to a broad, inclusive community with diverse needs rather than creating events and tourism product that target a particular market segment.

ARTS AND CULTURE

Arts and culture events provide multiple opportunities for learning, entertainment, leisure, personal growth, and improving communication with others.

As a result, these events contribute to the visitor economy by bringing visitors to the area, while also contributing to community wellbeing.

Victoria's Creative State 2025 brings strategic focus to the state government's investment in Victoria's creative industries that will support strengthening the offering, including further investment in the Latrobe Creative Precinct.[5]

1. Consumer Insights Research, Tourism Australia, 2021
2. Sustainable Travel Report 2023, Booking.com
3. Experience Victoria 2033, Department of Jobs, Skills, Industry and Regions
4. The Accessible and Inclusive Host Handbook, Australian Tourism Export Council and Tourism Australia
5. Creative State 2025, Creative Victoria

Transition and the visitor economy

Locally there are changes occurring that will impact events and the visitor economy. Latrobe City is undergoing a significant economic restructure with the known closure of traditional industries. While there has been significant government investment in Latrobe City, the Council recognises that the private sector investment is important for the City's ongoing economic growth.

For transition to be effective it must identify and address the various impacts that can arise out of the loss of a key industry. It must also identify new opportunities to replace the revenue lost due to the closure of the key industries. Local government has a vital role to play in the face of the known industry closure in Latrobe City.

A key response to an industry closure is to build up other local industries to try and compensate for the economic shortfall, enhance the liveability, and maintain and community pride.

Growing Latrobe City's visitor economy is critical to supporting the municipality's ongoing transition for reasons including:

- Provides new revenue opportunities for local businesses and residents
- Supports job creation. The tourism industry comprises a broad range of sectors, including but not limited to, hospitality, accommodation and retail, which are important in a transitioning economy because they provide entry level jobs for workers to change careers and for people entering the workforce for the first time.
- Provides opportunities for entrepreneurs to open new businesses, bring new money into the economy and employ more local jobseekers to service the number of visitors coming to the municipality
- Enhances the City's liveability and community pride, which, in turn, helps to retain existing residents and attract new ones at a time when there is a danger of losing population.

Tyers Park

Setting the scene

Narkoojee Winery

Destination features and strengths

- Victoria's fourth regional city, with a population of over 77,000 residents.
- A city of multiple centres, comprising the main towns of Churchill, Moe/Newborough, Morwell and Traralgon, as well as the rural townships of Boolarra, Glengarry, Toongabbie, Tyers, Traralgon South, Yallourn North and Yinnar.
- A culturally diverse community, due to its history of welcoming generations of migrants and refugees.
- A city undergoing a transformation from heavy industry to a renewable energy future, with the goal of becoming the most liveable regional city.
- Situated in the heart of Gippsland, approximately a two-hour drive from the key source market, Melbourne, readily connected by the Princes Highway, and rail and bus links.
- Positioned as a gateway to other destinations within the Gippsland region.
- Provides the first accredited visitor information centre east of Melbourne, delivering information to visitors to encourage them to explore the municipality and surrounds.
- A mature event destination with proven success as a host of major events.
- Offers a quality and breadth of sporting infrastructure to attract national through to regional sporting events, and for sporting teams to base themselves in the municipality.
- Home of arts and cultural facilities for regional and state performances and events.
- Manufacturing and new energy expertise, and Federation University and TAFE campuses foster youth retention, and learning and professional development for individuals and businesses.
- Although Latrobe City does not have a specific attraction that draws visitors, it has emerging experiences across Destination Gippsland's experience pillars of Rivers and Coastal Paradise, Paddock and Ocean Produce, Inspired Adventure, and Vibrant Local Communities[6].

6. Towards 2030 Gippsland Destination Management Plan

Events and the visitor economy snapshot

EVENTS

Events are an important part of Latrobe City's identity, formed over time through the growth in the city's events infrastructure, particularly for sports, and the associated attraction and hosting of events.

VISITOR ECONOMY

Latrobe City's visitor economy services people travelling to the area for visiting friends and relatives, events, leisure, business, work, and education. It does not occur in isolation but contributes to investment and jobs across a range of industry sectors throughout Latrobe City.

7. Four year average (Year ending December 2020 - Year Ending December 2022) for visitation to Gippsland region
8. Conservative estimate supplied by Latrobe City staff

Total visitors[8]

1,046,000

Domestic visitors per year

$181m

Total domestic expenditure

Day trippers

78%

Domestic day trippers

$132

Spend per day per day tripper

Overnight visitors

22%

Domestic overnight visitors

$123

Spend per night per overnight visitor

Melbourne

Most visitors are coming from Melbourne followed by regional Victoria and interstate

Accommodation

730
Rooms

2
Hotels (including boutique property)

75
Rooms in the largest motel

4
Caravan parks

3 star
Rating of the majority of motel and caravan park accommodation

Note: does not include Air BnB listings

57
Events

Supported by Latrobe City major events and community grants

- **52%** Sporting events
- **43%** Cultural/leisure events
- **3%** Civic events
- **2%** Business events

Nov–Mar

60% of events held from November through to March

Event venues

Latrobe City has extensive sporting venues to host national through to local sporting events

Tracks and trails, including three rail trails, MTB trails, hiking trails (including Strzelecki track)

3 regional cultural facilities

Limited business event venues

Open spaces and recreational reserves suitable for events

Target Markets

Image caption

The following visitor markets are the focus for the Strategy, recognising the municipality's strengths and capacity to attract and service these markets.

PRIMARY VISITOR MARKETS

SECONDARY VISITOR MARKETS

LIFESTYLE LEADERS

SPORTS PARTICIPANTS AND SPECTATORS

Those people fully committed to their competitive sport or participation events.

Participants and spectators will travel from intrastate and interstate for events across the year (depending on sporting code) and during the week and on weekends.

'REAL SEEKERS'

As per the Gippsland destination brand, these travellers seek to connect with nature, people, arts, culture, land and produce in authentic ways.

Includes domestic short break couples and singles (intrastate and interstate), families (within region and intrastate), and local residents seeking a new and unique event or tourism experience.

These are weekend visitors across the year and school holiday families.

TOURERS (OLDER COUPLES) AND VFR

Intrastate and interstate visitors that may not decide to visit because of an event, but may attend while they are here, and enjoy local food, drinks, retail, recreational and other visitors' experiences extending spend in the local community.

EDUCATION GROUPS (SCHOOL GROUPS AND STUDY TOURS)

Intrastate and interstate visitors travelling for sporting events and/or to extend learning and explore new places.

Includes high school and tertiary students, with the potential to attract international study tours to Victoria.

Streamlined transport connections, safety, experiences aligned to curriculum, suitable student accommodation and affordability are important for this market.

BUSINESS EVENTS

Business events comprises corporate groups, expos, government and association meetings.

These visitors are often high value, and are coming to Latrobe City as a result of the activity of local industries.

There is potential to grow this market in areas aligned with Latrobe City's strengths and growth industries and experiences.

Image caption

Events Assessment Framework

Narkoojee Winery

A robust event assessment framework will enable Latrobe City to create a balanced portfolio of events across sports, arts, culture and leisure, community and business that drive the visitor economy across the year and support a vibrant and sustainable community.

The best fit events

The best fit events for Latrobe City will be those that align with and demonstrate the values to be upheld and meet the supporting assessment criteria. By making smart and transparent decisions on events, outcomes can be maximised and the resourcing constraints managed.

Events will be assessed against the following criteria, which align directly with the Strategy's values.

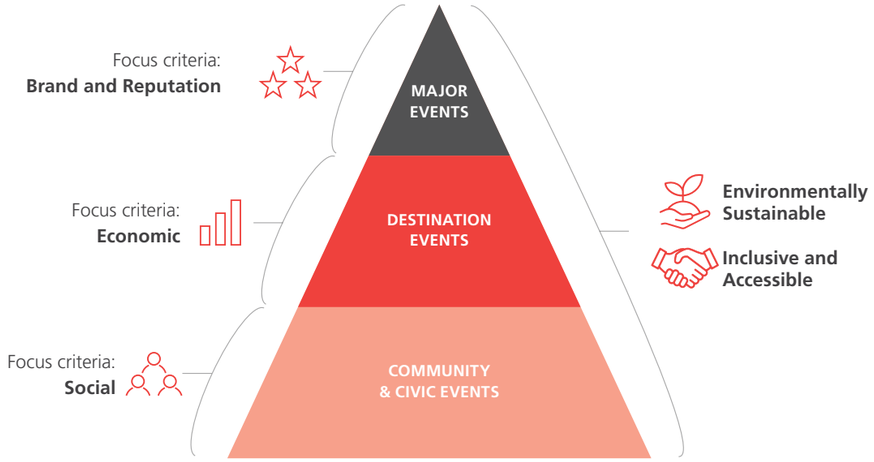
VALUE	ASSESSMENT CRITERIA	DESCRIPTION
Make a positive difference to our culture and community	**Social value**	• Events that Latrobe City residents are involved with. • Events that enhance the artistic and cultural diversity of Latrobe City, and celebrate its heritage and Gunaikurnai culture. • Events that connect community, and engender community engagement. • Events that grow community pride, and that offer positive value for residents of all ages.
Generate economic opportunities for our local businesses and community	**Economic value**	• Ability of event to attract investment and spend from outside of Latrobe City and Gippsland. • Events that help grow regional Gross Domestic Product (GDP) and offer strong Return on Investment (ROI). • Events that address seasonality and fill gaps in the calendar • Events that grow overnight visitation (domestic and international).
Reflect our identity and sense of place	**Brand and reputation value**	• Ability of events to activate the Latrobe City Council place brand 'Life Transformed'. • Ability of events to activate and/or leverage the Destination Gippsland regional destination brand 'All Kinds Of Wonder' where there is alignment • Events that change perceptions and generate positive stories about Latrobe City's people and place, and offer relevant marketing and media opportunities for Latrobe City, including high reach with regional, state, or national markets. • Events that align with Visit Victoria product priorities and Destination Gippsland's experience pillars.

Protect and nurture our natural environment	**Environmentally sustainable**	• Events that respect the environment, including events that:
		  • Encourage and enable the use of active and public transport
		  • Purchase sustainably
		  • Recover resources and reduce waste to landfill
		  • Reduce and offset emissions
		  • Educate and engage attendees and suppliers on sustainable behaviours
		  • Conserve waterway health
		  • Have minimal impact on natural habitats.

Inclusive and welcoming for all people	**Accessible and inclusive**	• Events that are held in accessible venues and provide for social inclusion.

Event categories

The following figure illustrates the event categories for Latrobe City and the relative importance of the assessment criteria. The weighting of focus on the Brand and Reputation, Economic and Social criteria vary depending on the category. Environmental, and Inclusive and Accessible criteria are a key consideration across all categories. By curating a calendar of events that includes each category Latrobe City will be best positioned to maximise social, economic and reputational benefits from events.



MAJOR EVENTS	DESTINATION EVENTS	COMMUNITY & CIVIC EVENTS
Large-scale or elite events that align with the priority sectors and provide broad scale brand exposure and positive reputational awareness and enhance pride and liveability for the local community.	Events that typically engage a mix of locals and domestic visitors with a focusing on economic impact and illustrating the value of the visitor economy.	Events that showcase and engage community and support council and community programs.
Example events AFL pre-season games, Big Bash League cricket, National swimming events.	**Example events** Boolarra Folk Festival, International Rose Garden Festival, Teachers Games, Bowls Victoria, Tennis, Traralgon Rodeo.	**Example events** Australia Day, Gippsland Day Out, Moe Ag Show, Morwell Festival of Dance.
Optimal threshold 3 per year	**Optimal threshold** 30[9] per year	**Optimal threshold** Unlimited pending resources

9. These 30 should be a mix of Sport and cultural/leisure events to ensure a balance.

Priority sectors

The aim is to create a diverse calendar of events targeting specific sectors to ensure the city plays to its strengths, aligns with brand and strategies and supports market trends

Big Bash

SPORT

Latrobe City has significant sporting infrastructure and a strong culture of sport that offers a strong opportunity to host sporting events at all levels. The proximity to Melbourne, and rail access, makes Latrobe City accessible for sporting events. These events also lead to legacy outcomes.

Boolarra Folk Festival

ARTS & CULTURE

Gippsland Performing Arts Centre (GPAC), Kernot Hall, Latrobe Regional Gallery, street art and many community arts and creative spaces and events ensure that Latrobe maintains strong creative ties. Combined with the Gunaikurnai culture and the multicultural nature of Latrobe, there is great capacity and desire to host arts and cultural events

Grand Ridge Rail Trail

NATURE AND OUTDOORS

The natural assets and tracks and trails throughout Latrobe City make it ideal to pitch for adventure and mass participation events. From Mountain Biking and water skiing to trail running and fishing this place offers many great natural assets and outdoor spaces to support events.

Morwell Innovation Centre

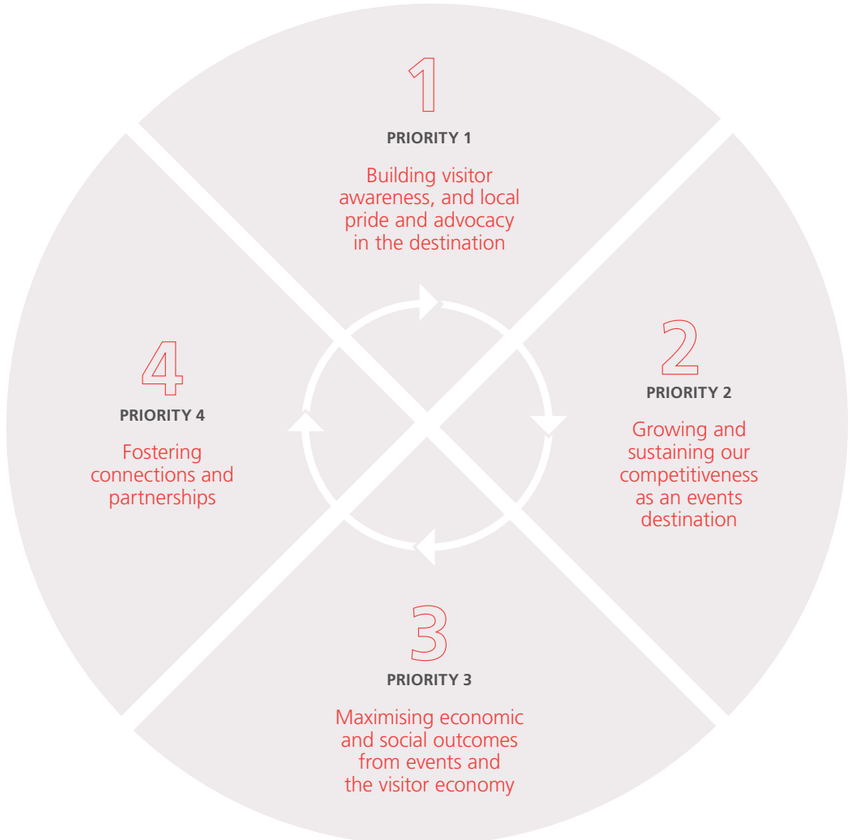
INDUSTRIAL AND EDUCATION (EMERGING SECTOR)

Latrobe City's transition to renewable energies alongside its food processing and sports excellence offers a critical mass of infrastructure and knowledge that is a draw for education groups including domestic school groups, international study tours and professional development tour groups. Tertiary and technical institutions and an innovation centre are assets that can be leveraged to attract these groups.

Strategic priorities

Gippsland Plaind Rail Trail

The vision for Latrobe's events and visitor economy is underpinned by four strategic priorities that will support achievement of the goals:



1

PRIORITY 1

Building visitor awareness, and local pride and advocacy in the destination

OUR IDENTITY

Latrobe City's story is one of transformation, building on its industrial might and becoming a visitor destination and a place to invest.

We will unpack Latrobe City's Place Brand's 'Life transformed' story with the local community and businesses to create awareness of the value of the visitor economy, and to understand the identity of the municipality.

We will then translate this story into a unique positioning as a visitor destination to build awareness and a positive profile amongst visitors and pride within the community.

Latrobe City will stand proud for what it is, and what it is becoming, and give a sense of the transformation by sharing the stories that show culture, heritage, diversity, innovation, and ambition as the municipality's DNA. A consistent telling of these stories through destination marketing and via the passionate advocacy of local businesses and residents will capture the interest of visitors, and drive a positive narrative. Latrobe City's First People's culture and stories, and its migrant history are an important part of the municipality's DNA, and therefore part of the stories to be shared with visitors.

VISITING FRIENDS AND RELATIVES

There is no better way to build destination awareness, support and pride amongst locals than by encouraging them to explore their own backyard, and to share experiences with visiting friends and family. At the same time, visitors are reliant on personal recommendations from friends and family when considering spending time in a destination.

Through the Latrobe City Place Brand and its Visit Pillar 'Always on Activity' for family, friends and return visitors, we have the opportunity to encourage the local community to invite their visiting friends and family to events. With the accredited visitor information centre as a central touchpoint, we will work with local businesses to ensure locals are aware of the experiences available, and inspire them to discover these with their friends and families.

Continuing to align with Gippsland's regional brand, 'All Kinds of Wonder' where appropriate, will enable Latrobe City to position itself in line with consumer trends and leverage the collective strength of the brand in building awareness and profile amongst the Visiting Friends and Relatives target market and other target audiences. We will also continue to leverage Visit Victoria's brand and campaign activity in raising awareness of and driving visitation to Latrobe City.

EVENTS PORTFOLIO

Our events portfolio is an important means of building the municipality's profile amongst target audiences, and creating and growing local pride. Major events, in particular, will be used to communicate and bring to life the destination's identity, and drive a positive profile and perception of Latrobe City and what it offers as an events and visitor destination.

INITIATIVES

1.1. Continue to roll out and activate Latrobe City's Place Brand 'Life Transformed', embedding its essence and values into events and visitor economy.

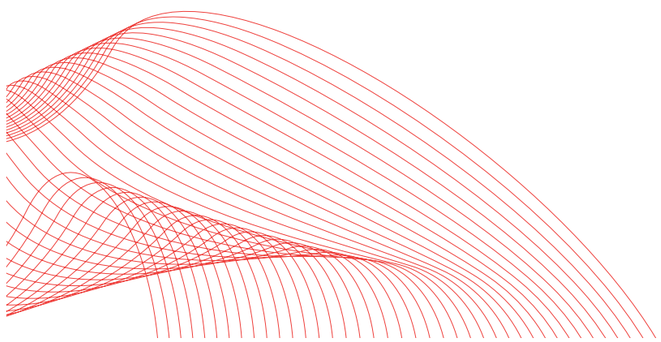
1.2. Drive awareness and understanding amongst residents of the importance of the visitor economy and the role of local businesses and the community.

1.3. Identify and profile the many colourful characters, the many faces, that represent the community's identity, the DNA of Latrobe City, including local sporting heroes, in brand and marketing campaigns.

1.4. Re-vision the International Rose Garden Festival as a signature destination event to effectively activate Latrobe City's brand and celebrate the DNA of the place.

DESIRED OUTCOMES

- Events and visitor experiences are used to share the Latrobe City story, transforming the profile and perception of Latrobe City.
- Local community advocacy of events and visitor experiences in Latrobe City.



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PRIORITY 2

Growing and sustaining our competitiveness as an events destination

EVENTS ASSESSMENT FRAMEWORK

The best fit events for Latrobe City will be those that align with and demonstrate the values outlined earlier and meet specific assessment criteria:

- Economic value
- Social value
- Brand and reputation value
- Environmentally sustainable
- Inclusive and accessible

The intention is to create a balanced portfolio of events across sports, arts, culture and leisure, community and business that drive the visitor economy across the year and support a vibrant and sustainable community. The assessment framework, which is further outlined in this document, will enable Council to assess and determine the best-fit events, how those events should be supported, and the outcomes sought from that assistance. The assessment framework will ensure that event resources are allocated adequately and strategically to attract, support, and leverage events that will support the achievement of the vision and objectives of this Strategy.

MEASUREMENT OF EVENT OUTCOMES

In supporting the development of events across the municipality, we will be seeking to measure the outcomes achieved based on the assessment criteria. Outcomes generated will be shared with the community to build local community and business support and advocacy for events.

EVENT READY AND ACTIVATED INFRASTRUCTURE

Latrobe City has significant event infrastructure including state and regionally ranked sports facilities and a regionally significant art and performance space. To ensure infrastructure is effectively used across the year requires understanding of Latrobe City's event precincts and the current capacity of infrastructure in each and matching these with the appropriate events. Venues that are 'event ready' for targeted events will help avoid incurring costs in providing additional infrastructure to host events.

We are focused on a planned approach to the maintenance and activation of this event infrastructure to optimise these facilities and maximise the economic and social outcomes they can deliver.

Much of the infrastructure is a legacy of government funding to provide a lift in the economy when faced with industry contraction. New funding opportunities will be pursued to enable the infrastructure to be event ready and utilised to its full capacity, including a maintenance schedule.

EVENTS PROSPECTUS

A strategic events prospectus is an important tool in enhancing Latrobe City's profile and reputation as an events destination and targeting events that are the right fit. We are focused on attracting events that align with our values and identity, and deliver positive economic and social benefits for our community and visitor economy. Our events prospectus will outline the events we are seeking to attract and host, and link with the Gippsland Event Venues website with details on Latrobe's fit for purpose event venues and sites, and their capability for the right fit events. We will promote our visitor economy through information on local accommodation and experiences.

ENABLING INFRASTRUCTURE AND PROCESSES

A critical enabler of event and visitor economy benefits is investment in accommodation to meet the needs of current visitors and to attract new markets. This is coupled with the need for ease of access through parking and public transport options.

Streamlining the compliance process for events is another enabler. Competition for event attraction demands Latrobe City has a reputation as an event friendly destination. Latrobe City Council wants to make it an easy decision for event organisers to choose to hold their events in Latrobe City. This will require a commitment to meeting the needs for a site to be event ready in terms of event set up and logistical needs, as well as approval pathways.

INITIATIVES

2.1. Implement the new event assessment criteria and measurement tool to enable all events to be assessed and their outcomes measured consistently and transparently.

2.2. Review Latrobe City Council's events venues and sites to determine their event strengths and capabilities.

2.3. Establish pre-approval status for the fit for purpose event venues and sites that meet required criteria.

2.4. Optimise Latrobe City's events infrastructure and encourage investment in accommodation stock to maintain competitiveness.

2.5. Enhance Latrobe City's positioning as a competitive events destination with provision of targeted and timely information on the right fit events and relevant event venues and sites.

DESIRED OUTCOMES

- Latrobe City secures an annual events calendar that delivers on the Strategy's goals.
- Ongoing investment in events infrastructure and accommodation.

3

PRIORITY 3

Maximising economic and social outcomes from events and the visitor economy

EVENT LEVERAGING AND ACTIVATIONS

Activations are a tangible way to increase economic impacts by encouraging visitors to increase their length of stay and spend locally. They can include pop-up activities that align with the Place Brand, event theme and event specific deals offered by hospitality, retail, accommodation and attractions. The creation of packages and itineraries that create awareness of what the municipality has to offer encourages visitors to explore, extend their stay and leave as passionate advocates. In marketing events, we will work internally across teams and with event organisers to identify and plan activations during and around events to extend and enhance the event experience for locals and visitors.

EXPERIENCE DEVELOPMENT AND PROMOTION

Latrobe City has the opportunity through its events activity to drive change in visitor perception and grow spend in the local visitor economy. We will seek to capitalise on the increased traffic in the municipality pre, during and post an event, to provide an exceptional visitor experience and drive strong economic returns for local businesses.

Critical areas to focus on are encouraging experience development and creating awareness of the experiences and services for visitors. This will involve a multi-step process: identifying the potential for the development of new or enhanced experiences; encouraging investment in experience development; and facilitating businesses to coordinate experiences and services into appealing packages or suggested itineraries for visitors coming to events. We will encourage local tourism businesses to tap into funding programs available to support the development of transformational projects

REGIONAL PLANNING CALENDAR

A forward planning events calendar will be coordinated and managed in collaboration with event organisers. This calendar is an important tool to maximise outcomes from events: event organisers can check timing to avoid date clashes with other events; local businesses can learn about upcoming events and plan activations and packages to leverage events; local residents can share what's coming up with family and friends; and Latrobe City Council can support the dissemination of messaging through Place brand platforms.

CAPACITY BUILDING

For our events to succeed, they need to be financially sustainable and responsive to the expectations of event audiences. Financial sustainability is also critical to increasing resilience to external shocks and weather events. The proposed Gippsland Regional Events School (piloted in East Gippsland) has the potential to support local homegrown events to enhance their capability and sustainability. We are focused on enabling event success through access to practical training and development and encouraging networking amongst event organisers to foster collaboration, information sharing and ideas generation.

VOLUNTEERS

Our volunteers are the backbone of many of our events. We recognise that a concerted effort is needed, working with regional and state partners to develop an innovative solution to address the lack of skilled and enthusiastic volunteers that is being felt not only in Gippsland, but also across Australia.

We are supporting several volunteering recruitment and retention projects: providing an online volunteer hub to connect organisations seeking assistance with locals looking for volunteer opportunities; and investigating capacity building for volunteer groups across the community. More work is needed in encouraging our community to volunteer.

EVENT EQUIPMENT

Access to locally based event equipment and services are important components of event success. There is an opportunity to explore the creation of a database of equipment available for hire by event organisers and of local equipment suppliers, and encouraging the creation of event equipment hubs across Gippsland. Facilitating networking amongst event organisers can also encourage sharing of equipment and volunteers across events.

INITIATIVES

3.1. Activate around events with experiences to maximise outcomes for the visitor economy and local community.

3.2. Develop one centralised regional event calendar to support forward planning and marketing.

3.3. Identify experience development gaps and needs across Latrobe City to enhance the competitiveness and appeal of the destination for event visitors and groups.

3.4. Foster a sustainable local events industry, enabled by access to human resources and equipment.

DESIRED OUTCOMES

- Events and visitor experiences increase visitor numbers and encourage longer length of stay and repeat visitation.
- Increased visitor spend with local businesses and organisations.
- Local community participation in events including in a volunteer capacity.

4

PRIORITY 4

Fostering connections and partnerships

BETTER EVENT PLANNING AND PREPARATION

A whole of Council approach to events is core to ensuring event opportunities are captured, and requests are addressed efficiently. We are committed to a clear and streamlined pathway from event acquisition to planning, marketing, leveraging and post event reporting; and equally, a streamlined approval process.

We will assign appropriate level of delegated authority to the Creative Venues, Events and Tourism team for event approvals to increase efficiencies and the timeliness of responses. We will also review and update the Terms of Reference and position descriptions for members of the Tourism and Major Events Advisory Committee (TAMEAC). This will see a change in focus away from advice on event approvals to a forum with the remit to proactively and strategically identify and advise on visitor economy and event opportunities; and have oversight of the Strategy's implementation. The Committee will be renamed the Visitor Economy Advisory Committee in line with the new focus and members will be skill-based appointments.

AN EFFECTIVE ECOSYSTEM

The stakeholders in events and the visitor economy are broad ranging and form an operating 'ecosystem'. We will encourage collaboration and cooperation to maximise synergies that exist.

We will work with regional and state partners including Events Gippsland, Destination Gippsland, and Visit Victoria and locally with Latrobe Visitor Information Centre to ensure opportunities for Latrobe City are maximised, and collaboration drives growth and success. Networking and bringing industry stakeholders together, and Council providing strong leadership, will be important in forming a healthy ecosystem.

STRATEGIC PARTNERSHIPS

Strategic partnerships with event organisers are vital to support the acquisition and retention of events. We will continue to proactively acquire events, and negotiate strategic partnership agreements with sporting bodies and other event organisations that support the achievement of their events' strategic goals and key performance indicators.

INITIATIVES

4.1. Create a streamlined whole of organisation approach to maximising event outcomes.

4.2. Assign delegated authority to the Creative Venues, Events and Tourism team for event approvals.

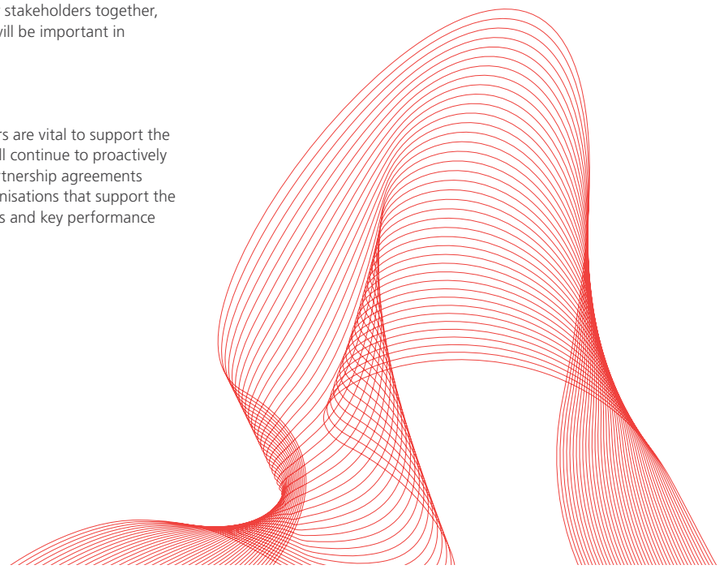
4.3. Review and change the remit and membership of the current TAMEAC to a proactive and strategic Visitor Economy Advisory Committee focused on providing strategic advice on maximising visitor economy and event opportunities.

4.4. Continue to foster a collaborative approach with regional and state partners and the LVIC to maximise event and visitor economy outcomes for Latrobe City.

4.5. Establish strategic partnerships with sporting bodies and other event organisations to acquire major events that are the right fit for Latrobe City's venues.

DESIRED OUTCOMES

- Positive feedback from event organisers on the event approval process.
- Strategic approach to the identification of events to attract and/or support, the development of visitor experience opportunities and ways to leverage events to maximise economic and social outcomes.
- Strategic partnerships secured with major sporting bodies and event organisers.

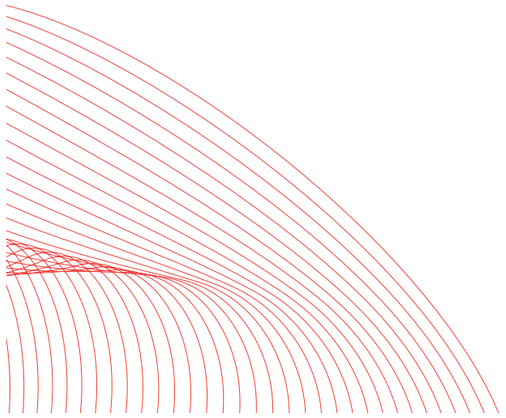


Measurement and Monitoring

A series of measures will be used to assess the success of this Strategy in delivering on the Strategy's values and objectives.

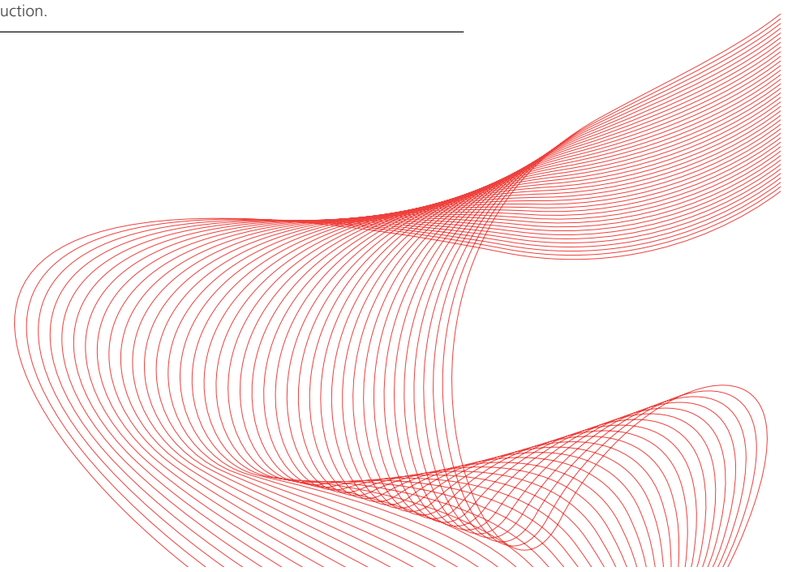
The Visitor Economy Advisory Committee (the former TAMEAC) will undertake an annual review of the Strategy and a quarterly review of the Strategy's Activation Plan. The review outcomes will be reported to Council.

VALUES	GOALS	METRICS AND METHODS
Social We make a positive difference to our culture and community.	Community benefit	More residents agree events and the visitor economy have had a positive impact on their community (Resident survey)
Economic We generate economic opportunities for our local businesses and community.	Visitor spend	Increase in visitor numbers and visitor spend (SpendMapp, visitor numbers at events, Tourism Research Australia data)
Brand and reputational We have a strong identity and sense of place.	Positive perception	Positive stories generated (Media activity)
Environmentally sustainable We champion the protection and nurturing of our natural environment.	Community benefit	Proportion of funded and acquired events with an environmental sustainability plan (Events assessment criteria) Proportion of funded and acquired events with measures in place to achieve Council's net zero greenhouse gas emissions target by 2035 (Events assessment criteria)
Accessible and inclusive Events and visitor economy experiences are accessible and inclusive of all people.	Community benefit	Proportion of funded and acquired events that are inclusive and accessible (Events assessment criteria)



Acronyms and Definitions

Right fit events	Those events that meet the defined assessment criteria set in this strategy.
Fit for purpose venues and sites	The venues identified as having the capacity and capability to host the right fit events.
Latrobe City	Refers to a city of multiple centres, comprising the main towns of Traralgon, Morwell, Moe/Newborough and Churchill, as well as the rural townships of Boolarra, Glengarry, Toongabbie, Tyers, Traralgon South, Yallourn North and Yinnar.
Latrobe City Council (Council)	The organisation representing Latrobe City.
LVIC	Latrobe Visitor Information Centre, Latrobe City's accredited visitor information centre.
Next economy	National Visitor Survey
NVS	The climate-safe global economy founded on renewable sources of energy that the world is transitioning to. Leveraging the transition offers many opportunities for a local economy that is proactive.
TAMEAC	Tourism and Major Events Advisory Committee. A community consultative committee to provide advice on furthering tourism within Latrobe City and consider proposals for major events and funding applications.
Visitor economy	Visitor economy is a contemporary definition of tourism, including people travelling not just for leisure, but for events, business, work, education or visiting friends and relatives. It brings together the wide range of industries that provide visitors with goods and services, both directly such as accommodation, cafes, restaurants, bars, transport providers, tour companies, and attractions, as well as indirectly, such as retail, medical, and food production.



Narkoojee Winery

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LatrobeCity
a new energy

TELECOMMUNICATION FACILITY/TOWER LEASES - PROPOSED COMMUNITY CONSULTATION

PURPOSE

To seek Council endorsement to undertake community consultation on the proposal to enter into two long term leases for installation/operation of telecommunication towers/facilities on Council owned or managed land at two locations (Callignee and Morwell).

EXECUTIVE SUMMARY

- Council has been approached by two separate operators to install telecommunications towers within Latrobe City as part of the federal Black Spot funding program.
- Tower 1 is located in Callignee adjacent to the CFA building, this land is Crown land where Latrobe City is the appointed Committee of Management, this would be a standalone tower structure.
- Tower 2 is located at the Crinigan Road South Reserve, Morwell, and would involve a light pole replacement on the western side of the main soccer field, minimising the visual impact to the facility.
- Each lease is with different operators, representing different telecommunication companies, however both are seeking leases of 20 years.
- The lease fees would be determined by market valuations and Council will negotiate for fair increases and opportunities for regular market reviews.
- In order to enter into such leases, a community consultation process as outlined in the Community Engagement policy is required under the *Local Government Act 2020.*

OFFICER'S RECOMMENDATION

That Council:

1. **Pursuant to section 115 of the Local Government Act 2020, advertises its intention to enter into a lease with Amplitel Pty Ltd (the tenant) for a telecommunications tower located on part of Crown Folio Volume 11792 Folio 64 identified as Tower 1.**
2. **Agree to consider any submissions received pursuant to Section 55 of the Local Government Act 2020 at a future Council Meeting.**
3. **Subject to the above recommendations and provided no submissions are received, agree to enter into a new lease with Amplitel Pty Ltd, on the proposed lease terms outlined below:**

3.1. A. Proposed Tenant: Amplitel Pty Limited as trustee for the Towers Business Operating Trust ABN 75 357 171 746
B. Demised Premises: Lease area of 100 square metres of reserve Crown land known as Neaves Road, Callignee;
C. Permitted Use: Use, inspection, construction, installation, replacement, operation, maintenance, alteration, repair, upgrade, access to and from and removal of the facility for telecommunications and communications purposes on the Premises and the Land in accordance with the Lease
D. Term: 20 years;
E. Rental: $15,000 plus GST
F. Rent Review: Adjusted annually by 3%; and
G. Outgoings: All outgoings including utility services, public liability insurance, building and contents insurances to be payable by the Tenant.

4. Pursuant to section 115 of the Local Government Act 2020, advertises its intention to enter into a lease with Optus Mobile Pty Ltd (the tenant) for a telecommunications tower located on part of Lot 1 on Title Plan 876353 identified as Tower 2.

5. Agree to consider any submissions received pursuant to section 55 of the Local Government Act 2020 at a future Council Meeting.

6. Subject to the above recommendations and provided no submissions are received, agree to enter into a new lease with the Optus Mobile Pty Ltd, on the proposed lease terms outlined below:

6.1. A. Proposed Tenant: Optus Mobile Pty Ltd - ABN: 65 054 365 696;
B. Demised Premises: Lease area of 100 square metres of reserve at Crinigan South Reserve, Morwell;
C. Permitted Use: Use, inspection, construction, installation, replacement, operation, maintenance, alteration, repair, upgrade, access to and from and removal of the facility for telecommunications and communications purposes on the Premises and the Land in accordance with the Lease;
D. Term: 20 years;
E. Rental: $15,000 plus GST
F. Rent Review: Adjusted annually by 3%; and
G. Outgoings: All outgoings including utility services, public liability insurance, building and contents insurances to be payable by the Tenant.

7. Provided no submissions are received, delegates to the Chief Executive Officer authority to enter into lease agreements with both tenants.

BACKGROUND

Council has been approached by two separate operators seeking to install telecommunications towers within Latrobe City as part of the federal Mobile Black Spot funding program.

This program is aimed to reduce blackspots across the country by providing strong access to telecommunication signals as well as vital communication networks in emergencies.

The requested length of the leases is 20 years, in accordance with Section 115 of the *Local Government Act 2020,* Council is required to complete a public consultation process before entering any such agreement.

The leases would be completed using the MAV (Municipal Association of Victoria) and DEECA (Department Environment, Energy and Climate Action) standardised Telecommunication Tower leases that has been adopted and supported by Council's across the state.

ANALYSIS

Tower 1

Is proposed to be in Callignee adjacent to the CFA building, this land is Crown land with Latrobe City Council as the appointed Committee of Management, this would be a standalone tower structure.

The lease would be for an area of approximately 100 square meters, being part of the Public Recreation Reserve situated at Neaves Road Callignee, also known as Crown Allotment 2003, Township and Parish of Callignee. The proposed lease area is highlighted in yellow (with approximate land footprint of 100 sqm). The proposed tower would be 30m high, as required by the State Government's metrics for a tower in this area.

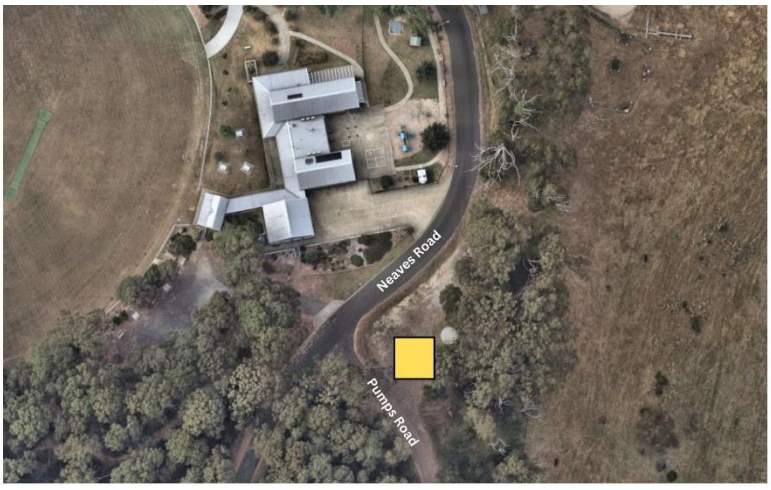

Image 1. Proposed location for Tower 1

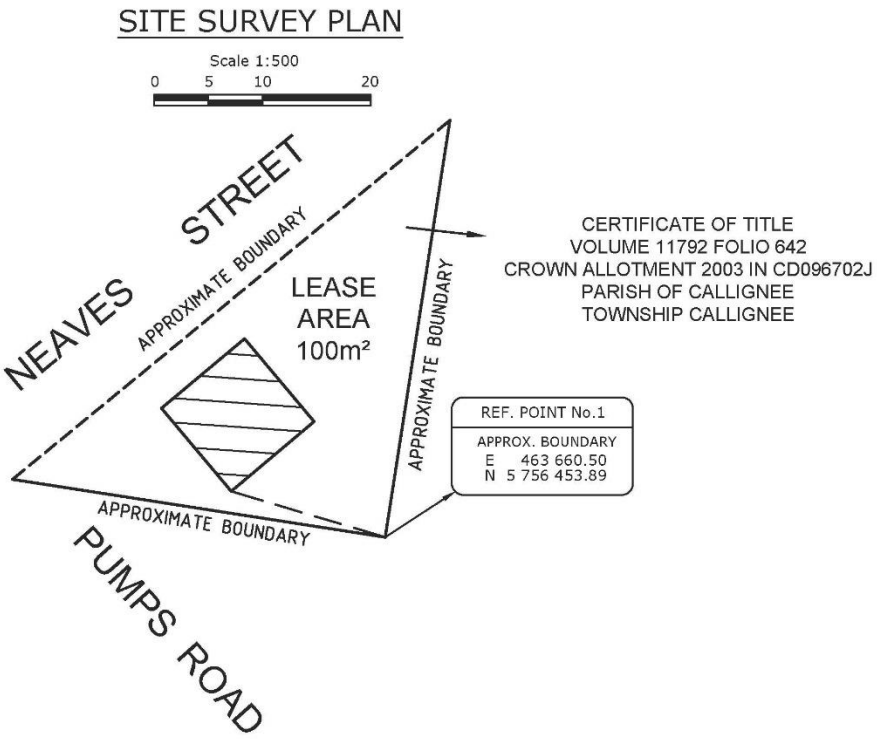

Image 2. Proposed Lease Plan for Callignee Tower

In addition to paying market rent, Council is negotiating for the installation of two large water tanks for the Callignee CFA to increase the value to community of this project.

Tower 2

Is proposed to be located at the Crinigan Road South Reserve, Morwell, also known as Lot 1 on Title Plan 876353, with Latrobe City Council as the registered landowner.

This lease is for a light tower replacement (a pole on the western side of the soccer field) with a new monopole structure, minimising the visual impact to the facility and surrounds. There will also be a small 100m2 enclosure adjacent to the tower.

This proposed tower is 30m, which is taller than the existing light tower and will have the new sports field lighting installed at the appropriate heights to replace the existing sports field lighting.

Image 3. Proposed location for Tower 2

In addition to paying market rent annually, Council is negotiating for the upgrade of the lighting on the affected soccer field to increase the value to community of this project.

Under the *Telecommunications Act 1997,* there is an allowance to avoid the planning permit process, neither operator has indicated that they will be using this allowance.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Adherence to the requirements of the *Local Government Act 2020*	**Low** *Unlikely x Moderate*	Completing the required community engagement process under the Local Government Act will ensure compliance
SERVICE DELIVERY The replacement of the lights at the ground impacting on user groups	**Low** *Unlikely x Moderate*	Users of the Crinigan Road South Reserve will be consulted prior to the works to ensure adequate measures are in place to match like for like.
FINANCIAL Poor financial return for the impact on our property assets.	**Low** *Unlikely x Minor*	The land will be leased subject to market valuations and reviewed accordingly on regular intervals throughout the lease.
STRATEGIC A reputational risk if not engaging strongly with the community.	**Medium** *Unlikely x Moderate*	The community engagement process will ensure the community has opportunity for feedback, direct consultation with effected user groups will increase engagement

CONSULTATION

A community consultation process will be undertaken in accordance with Council's community engagement policy to provide adequate opportunities for feedback on the proposed sites.

Direct communication with local emergency services as well as the effected site's neighbours will be completed.

COMMUNICATION

The community engagement process will be published as a public notice as well as advertising within the Latrobe Valley Express in addition to promotion across both Council's 'Have your Say' website platform and social media channels.

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 increase in access to stable telecommunication services will provide benefits across the community.

Economic

This infrastructure will enable any benefits gained from a long-term lease to be returned to the community through Council spending. There will be additional initial investments negotiated that could add value to the directly impacted community groups as well that will be of value as well.

Financial

The estimated return for a single telecommunications tower in the market today is approximately $15,000 indexed at approximately 3% this will add $400,000 over the life of the agreement per lease.

All outgoings (insurances and utility costs) will be passed on to each tenant.

These leases would not impact on the zoning of either land parcels, therefore no windfall gains tax implications.

However, the change of use may incur a minor land tax obligation. Any costs incurred through the execution of these leases will be covered by the financial returns of each lease.

Attachments

Nil

STATUTORY PLANNING

7. STATUTORY PLANNING

Item Number 7.1 06 May 2024 Regional City Planning and Assets

PLANNING PERMIT APPLICATION 2023/186 MULTI-LOT SUBDIVISION OF LAND, REMOVAL OF EASEMENT, AND REMOVAL OF NATIVE VEGETATION

PURPOSE

To provide Council with an assessment of planning application 2023/186 for a multi-lot subdivision of land at Young Street, Boolarra, against the provisions of the Latrobe Planning Scheme.

EXECUTIVE SUMMARY

- The subject site is located in the Low Density Residential Zone (LDRZ) with a small part located in Neighbourhood Residential Zone Schedule 4 (NRZ4) and is partly subject to the Bushfire Management Overlay (BMO).
- Following advertising of the application, twelve objections were received with concerns that included flooding and drainage; use of septic tanks; and amenity impacts.
- The proposal has been considered against the relevant provisions of the Latrobe Planning Scheme (the Scheme) and the objections submitted.
- The proposal has appropriately addressed the constraints of the site with regard to stormwater, the disposal of wastewater, and bushfire risk and presents a subdivision design that would connect well with the existing road network of Boolarra. Native vegetation removal has been minimised.
- The proposal is considered to be an acceptable response to neighbourhood character and would blend in well with the existing rural township character of Boolarra. it is considered that the proposal is generally consistent with the relevant objectives and decision guidelines of the Scheme and that objectors' concerns can be addressed with permit conditions.

OFFICER'S RECOMMENDATION

That Council issue a Notice of Decision to Grant a Permit for a multi-lot subdivision of land, removal of easement, and removal of native vegetation at Young Street, Boolarra subject to conditions at Attachment 1 to this report.

BACKGROUND

Land:	Young Street, Boolarra, known as Lot B on Lodged Plan 143105
Proponent:	Oakwood Boolarra Pty Ltd c/- SMEC - Traralgon
Zoning:	Low Density Residential Zone (part) (LDRZ)
	Neighbourhood Residential Zone, Schedule 4 (part) (NRZ4)
Overlay:	Bushfire Management Overlay (part) (BMO)

A Planning Permit is required:

- Pursuant to Clause 32.03-3 (LDRZ) to subdivide land.
- Pursuant to Clause 32.09-3 (NRZ4) to subdivide land.
- Pursuant to Clause 44.06-2 (BMO) to subdivide land.
- Pursuant to Clause 52.02 to remove an easement.
- Pursuant to Clause 52.17-1 to remove, destroy or lop native vegetation.

Proposal

It is proposed to subdivide the subject site into 23 residential lots and a reserve, remove part of a water supply easement from the title, and remove native vegetation.

A copy of the plans of the proposal can be viewed at Attachment 2 of this report.

The main aspects of the proposal can be summarised as follows:

- Subdivision of the land into 23 lots ranging in size between 4,003 square metres and 11,360 square metres (1.136 hectares).
- Creation of a reserve in the west of the site in favour of Council for drainage purposes. The reserve would connect with an existing Council reserve located between 39 and 41 Limonite Road.
- Access to the lots within the subdivision would be via Barktown Road along the site's eastern boundary, a proposed road that would run east-west across the site connecting Limonite Road and Barktown Road, and a court running north-south from the east-west road.
- Removal of the easement for water supply purposes known as E-1 on LP143105.
- Removal of 0.02 hectares of native vegetation in the vicinity of a dam comprising a patch of *Eleocharis sphacelate* (Tall Spike-rush), *Juncus holoschoenus* (Joint-leaf Rush) and *Juncus sarophorus* (Broom Rush).
- Lots have been designed so that future dwellings can meet a Bushfire Attack Level (BAL) of 12.5 for construction. This is shown as a building envelope on each lot on the site plan.

- Each lot would also have a wastewater envelope. Effluent disposal is proposed via individual domestic wastewater systems as reticulated sewer is not available to the site.
- The site is partly located in an area of Aboriginal cultural heritage sensitivity. A Cultural Heritage Management Plan has been approved under the Aboriginal Heritage Act 2006 and has been submitted to Council. No Aboriginal cultural heritage was found in the activity area.

Subject Land:

The site is located in the south of the Boolarra township and is regular in shape with an overall area of 12.09 hectares. The majority of the site is located in LDRZ with two parts of the site that extend to Limonite Road located in NRZ4. The site has an approximately 370 metre frontage to Barktown Road along its eastern boundary, and a 26.22 metre frontage to Limonite Road on its western boundary. It has an additional 3.0 m frontage to Limonite Road in the north-west of the site. The site also has a frontage of 289 metres to an unmade government road reserve along its southern boundary.

The site is used for the grazing of livestock and has been developed with a small shed located near the eastern boundary. Vehicle access to the site is available from both Limonite Road and Barktown Road.

The site has a fall from east to west of 34 metres. Vegetation on site comprises of native grasses located around a dam in the west of the site with the remainder of the site cleared and containing pasture grass.

An aerial photo of the site is shown in Figure 1 below, and Figure 2 shows the subject site in the context of the Boolarra township and surrounds.

Figure 1: Subject site

Figure 2: Subject site in relation to the Boolarra township and surrounds

Surrounding Land Use

Abutting the site to the north and west are residential properties located in Fairmont Street and Limonite Road respectively. These properties contain single dwellings on lots ranging between approximately 850 square metres and 1,800 square metres and are located in NRZ4.

To the east is a lot that adjoins the site with an area of approximately 1,400 square metres. It has been developed with a dwelling, has a frontage to Barktown Road, and is located in LDRZ. Further to the east is a 120 hectare parcel of land with a dense tree cover. The land is owned by Department of Energy, Environment and Climate Action.

To the south is a parcel of land of approximately 12.5 hectares that is also heavily treed. It has frontage to Limonite Road, Barktown Road, and an unmade government road reserve and is located in the Farming Zone.

History of Application

The application was lodged on 17 August 2023. Two requests for further information were made with Council officers requiring, among other things, an increase in lot sizes to comply with the LDRZ provisions, and an assessment of the impact services may have on vegetation in the adjoining Council reserve to the west of the site. The requests resulted in the lodging of amended plans and the submission of a native vegetation report for the Council reserve.

No further changes have been made to the plan following advertising of the application and the receipt of objections.

CONSULTATION

The application was advertised pursuant to Section 52(1)(a) and (d) of the Planning and Environment Act 1987 (the Act). Notices were sent to all adjoining and adjacent landowners and occupiers and a site notice was displayed at the entrance to the site on Limonite Road and at the northern end of the eastern boundary on Barktown Road for 14 days.

Following advertising of the application, 12 submissions in the form of written objections were received. A copy of the objections can be viewed at Attachment 3 to this report. A map of the location of objectors can be viewed at Attachment 4.

The main issues raised in the objections can be summarised as:

- flooding and drainage
- use of septic tanks
- amenity impacts
- conflict between residential use and agricultural uses
- increase in traffic
- loss of views
- increase in crime.

- impact to the local environment due to tree loss.
- loss of privacy
- overdevelopment of the site

The concerns raised by the objectors are discussed in the Response to Objections at Attachment 5 to this report.

ANALYSIS

Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF)

The relevant direction and policy contained in the MPS and PPF of the Latrobe Planning Scheme have been considered as part of the assessment of this application and the proposal has been found to be consistent with them. A response to relevant policy can be viewed at Attachment 6 to this report.

Zones

Clause 32.03 Low Density Residential Zone (LDRZ)

The purpose of LDRZ is (as relevant to this application):

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

Pursuant to Clause 32.03-3 of the Scheme, a permit is required to subdivide land. Each lot must be at least 0.4 hectares where reticulated sewerage is not connected.

The decision guidelines of the LDRZ require consideration of the following matters:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.*
- *The availability and provision of utility services, including sewerage, water, drainage, electricity and telecommunications.*
- *In the absence of reticulated sewerage:*
    - *The capability and suitability of the lot to treat and retain all wastewater as determined by a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed, or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the* Environment Protection Act 2017*.*
    - *The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.*

- *The relevant standards of Clauses 56.07-1 to 56.07-4.*

The proposal is consistent with the decision guidelines for the following reasons:

- The proposal satisfactorily addresses the Municipal Planning Strategy and the Planning Policy Framework.
- The proposal satisfactorily addresses the environmental, heritage and landscape characteristics of the site through a site responsive design that appropriately deals with bushfire risk, native vegetation, and Aboriginal cultural heritage as well as appropriately addressing the rural township character of the area through the provision of lots of 4,000 square metres or greater.
- '*Land Capability Assessment for On-Ste Wastewater Management at Young Street, Boolarra Vic 3870*' prepared by Milward Engineering Management Pty Ltd (September 2021) was submitted with the application and has been assessed by Council's Health Team. The Health Team has advised that the lots in the subdivision would be able to effectively dispose of wastewater using a secondary wastewater treatment system with pressure compensating sub-surface irrigation. Conditions of approval will include wastewater envelopes for each lot to be shown as a restriction on the plan of subdivision and to form part of a section 173 agreement to be registered on each new title. Each lot will be required to submit its own Land Capability Assessment when applying for a permit for a septic tank system. This will also form part of the section 173 agreement.
- The proposal satisfies the relevant standards of Clause 56 with regard to the provision of drinking water to the subdivision, and wastewater and stormwater management. Permit conditions will be included on any approval issued to address these issues.

Clause 32.09 Neighbourhood Residential Zone Schedule 4 (NRZ4)

A small portion (62.15 square metres) of proposed Lot 1 would be located in the NRZ4. The proposal with regard to this piece of land is considered to satisfactorily address the purpose and decision guidelines of the zone. The remaining part of the site that is located in NRZ4 will be developed with the road that will connect the subdivision to Limonite Road. The road does not require planning approval.

Overlays

Clause 44.06 Bushfire Management Overlay

The proposal is considered to be generally consistent with the Overlay `Purpose':

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*

- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

The proposal is considered to be generally consistent with the Clause 44.06 Decision Guidelines as:

- It meets the Municipal Planning Strategy and the Planning Policy Framework.
- A bushfire management plan has been submitted with the application consistent with Clause 53.02 (see assessment below).
- All approved measures have been incorporated into the application.
- CFA has not objected to the proposal subject to conditions with regard to bushfire mitigation.

Particular Provisions

Clause 52.02 Easements, Restrictions and Reserves

Clause 52.02 provides that a permit is required to remove an easement. The proposal seeks to remove a 10.06 metre wide water supply easement E-1 from the title. The easement runs diagonally across the top half of the site. Gippsland Water has consented to the removal of the easement as it will not be required for this subdivision with more appropriately located water mains to be provided within the proposed road reserves. The easement will be made redundant as a result of the proposed subdivision. Its removal is therefore supported as it will no longer be required.

Clause 52.17 Native Vegetation

The proposal is considered to be generally consistent with the particular provision purpose:

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the* Guidelines for the removal, destruction or lopping of native vegetation *(Department of Environment, Land, Water and Planning, 2017) (the Guidelines):*
    1. *Avoid the removal, destruction or lopping of native vegetation.*
    2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
    3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
- *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

The applicant has provided an 'avoid and minimise statement' which states that the area of vegetation proposed to be removed is minimal and is not considered to be significant vegetation.

The proposal is identified as being within Location 1 with the extent of native vegetation to be removed being a total of 0.020 hectares. Based on this information, the Guidelines stipulate that the proposal is to be assessed under the Basic assessment pathway.

Offset Requirements

The proposed removal of native vegetation is required to be offset by:

- 0.005 general habitat units and must include the following offset attribute requirements:
    - Minimum strategic biodiversity value of 0.248.
    - Occur within the West Gippsland Catchment Management Authority boundary or the Latrobe City Council boundary.

The Guidelines require that the offset must be secured prior to the removal of native vegetation, and this will be achieved by a permit condition. The offset requirements for the proposal would be met via the purchase of a third-party offset.

The proposal is considered to be generally consistent with the Clause 52.17 Decision Guidelines (with appropriate conditions):

- The site has not been subject to a regional or landscape scale strategic planning process with regard to avoiding and minimising impacts on native vegetation.
- No further feasible opportunities exist to further avoid and minimise impacts on native vegetation. The vegetation to be removed is located around a dam which is to be removed.
- The vegetation that is proposed for removal is not located near a waterway, a riparian ecosystem, or on a steep slope and has a minimal role in preventing land degradation. Its removal is not expected to have any adverse effect on groundwater quality.
- The vegetation identified for removal has no identified landscape values or Aboriginal cultural heritage values.
- The removal is not associated with a bushfire mitigation measure, and a Property Vegetation Plan does not apply to the site.
- An offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.

- The proposal is considered to be in the Basic Assessment Pathway and it has been demonstrated that based on the extent, the condition score, the strategic biodiversity value score, the Ecological Vegetation Class and the distance from waterways that the impact on biodiversity is not significant.

Clause 53.01 Public Open Space Contribution and Subdivision

A person who proposes to subdivide land must make a contribution to Council for public open space. The schedule to the clause states that for residential subdivision (greenfield) 8 per cent of net developable area in cash or land contribution must be provided. As no unencumbered public open space is proposed to be provided in land, a condition of approval will require a contribution of 8% of the value of the site to be paid to Council.

Clause 53.02 Bushfire Planning

The proposal is considered to be generally consistent with the Particular Provision 'Purpose':

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.*
- *To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.*
- *To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.*

The proposal has been assessed against the applicable requirements of Clause 53.02-4.4 Subdivision Objectives and found:

- The bushfire risk to each lot from the landscape beyond the site can be mitigated to an acceptable level as shown on the Bushfire Management Plan (BMP) submitted with the application. Building envelopes are shown on each lot on the plan of subdivision which will ensure future development is set back from the bushfire risk to allow for a dwelling to be constructed to a Bushfire Attack Level (BAL) of 12.5. Defendable space would be provided in accordance with the clause.
- CFA has consented to the proposal subject to minor amendments to the BMP, the construction of vehicle access, and the placement of fire hydrants within the subdivision.
- The site has existing roads on its perimeter adjoining hazardous vegetation that will assist in fire fighting.

- The lots would be provided with appropriate access onto internal roads within the subdivision as well as to Limonite Road and Barktown Road and the broader road network.

The proposal is considered to be generally consistent with the relevant Clause 53.02-4.5 Decision Guidelines:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The risk arising from the broader landscape can be mitigated to an acceptable level due to building envelopes, large lot sizes, and access arrangements available to the site.

As a result of the CFA referral response, and the review of the relevant decision guidelines, it is considered that the proposed development should not pose a significant risk to life and has addressed the standards and objectives to adequately address the potential bushfire hazards in the area.

Clause 56 Residential Subdivision

The application has been assessed against the relevant clauses of Clause 56 (Clauses 56.07-1 to 56.07-4). The clauses relate to water supply, disposal of wastewater and the management of stormwater. The proposal addresses each clause satisfactorily. An assessment of the clauses can be found at Attachment 7 of this report.

Decision Guidelines (Clause 65)

Clause 65.02 sets out the decision guidelines to be considered before deciding on an application to subdivide land. The following is a response to the guidelines:

- The land is considered to be suitable for subdivision as it would subdivide land zoned LDRZ and NRZ4 into residential allotments in an acceptable manner.
- The proposal is considered to be compatible with existing uses surrounding the site.
- Planning permit conditions will ensure there is no impact from the subdivision on other land which has a common means of drainage.
- The proposal is considered to be sympathetic to the prevailing subdivision pattern in this part of Boolarra having regard to the physical characteristics of the land and the zoning of adjoining land.
- The proposed road layout would link with existing roads.
- Given the constraints of the site, the proposal is considered to have provided a permeable street network to allow for the effective movement of pedestrians and vehicles throughout the subdivision and provide ease of access to all lots.
- The subdivision will be required to connect to all available utility services, including water, drainage, and electricity.

- Native vegetation proposed for removal has been minimised.
- It is considered that the subdivision would not have a detrimental impact on current and future development in the surrounding area or on the operation of the transport system.

Incorporated Documents (Clause 81)

- *Design Vehicles and Turning Path Templates (Publication AP – 34/95, Austroads, 1995)*

Background Documents (Clause 72.08)

- *Infrastructure Design Manual (Local Government Infrastructure Design Association, 2019).*
- *Live Work Latrobe Housing Strategy (Latrobe City Council, MacroPlan Dimasi, RMCG and Planisphere, May 2019)*

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
REPUTATIONAL RISK Refusing an application which is consistent with the Latrobe Planning Scheme and Council's Housing Strategy and Housing Framework Plans.	**Medium** *Possible x Minor*	The proposal has been considered against the Latrobe Planning Scheme and it is considered to be consistent with the relevant provisions and should therefore be approved.
FINANCIAL RISK Supporting the application and the objectors seeking review of the decision at VCAT.	**High** *Likely x Minor*	To manage and limit the potential risk, the recommendation has been considered against the requirements of the LDRZ, NRZ4 and BMO, Planning Policy Framework and Municipal Planning Strategy, and relevant Particular Provisions. The recommendation to approve is considered to be consistent with the Latrobe Planning Scheme and VCAT precedent.

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*.

Attachments

1. Attachment 1 Draft conditions
2. Attachment 2 Plans of the proposal
3. Attachment 3 Copy of objections (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. Objections contain names, addresses and contact details of residents.

4. Attachment 4 Location of objectors (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. Map shows addresses of objectors.

5. Attachment 5 Response to objections
6. Attachment 6 Planning Policy Assessment
7. Attachment 7 Clause 56 Assessment

7.1

Planning Permit Application 2023/186 Multi-lot subdivision of land, removal of easement, and removal of native vegetation

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DRAFT PERMIT CONDITIONS 2023/186
Proposal: Multi-lot subdivision of land, removal of easement, and removal of native vegetation
Young Street, BOOLARRA

1. **Amended Plans Condition**

   Before the plan of subdivision is certified under the *Subdivision Act* 1988, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be generally in accordance with *Plan of Subdivision PS827377P* prepared by SMEC Version E submitted on 19/10/2023 Sheets 1-6 but modified to show:

   a) The BAL 12.5 setback for each relevant lot.
   b) The building and wastewater envelopes dimensioned.
   c) The setbacks of the building and wastewater envelopes from boundaries dimensioned.
   d) The drainage easement located within Lot 23 deleted.

2. **Endorsed Plans Condition**

   The layout of the subdivision as shown on the endorsed plan must not be altered without the permission of the Responsible Authority.

3. **Environment Conditions**

   The native vegetation approved to be removed is limited to that shown in the Native Vegetation Removal Report (Report ID BIR_2023_015), and offsets are secured prior to works.

4. The proposed drainage realignment is formally adopted to avoid encroachment into the Tree Protection Zones of the trees in the Latrobe Valley Reserve, and;

   a. The natural ground level is to be maintained throughout unimpacted areas of the TPZs
   b. Under the supervision of a Project Arborist, a non-destructive excavation is to be undertaken along the alignment so that all trees roots associated with Trees 2, 3, 8, 13, 19, 22, 23 and Group 14 can be identified and pruned in accordance with AS4373-2007 Pruning of amenity trees using clean sharp pruning tools.

5. Any additional vegetation that is impacted will need to be captured in further reports and approved prior to works beginning.

6. *Notification of permit conditions*
   Prior to the commencement of works, the permit holder must advise all persons undertaking vegetation removal or works on site of all relevant

permit conditions and associated statutory requirements or approvals.

7. *Adjacent vegetation*
Buildings, structures and earthworks on each lot must be located outside of the Tree Protection Zone (TPZ) of any vegetation located on adjacent land. Alternatively, any encroachment into the TPZ of adjacent trees must be assessed by a qualified Arborist (AQF Level 5 or above) and provide evidence in accordance with the Australian Standard for the Protection of Trees on Development Sites (AS4970- 2009) that the vegetation will remain viable with the construction.

8. *Native vegetation offsets*

To offset the removal of 0.020 hectares of native vegetation (as per Report ID BIR_2023_015), the permit holder must secure a native vegetation offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:

a) A general offset of 0.005 general habitat units:
   i. located within the West Gippsland Catchment Management Authority boundary or Latrobe City Council municipal district.
   ii. with a minimum strategic biodiversity score of at least 0.248.
   iii. The offset(s) secured does not require protection of any large trees.

9. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
   a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site and/or
   b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

10. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Energy and Climate Action Traralgon regional office via gippsland.planning@delwp.vic.gov.au.

11. **Recreation and Open Space Conditions**

Detailed Landscape Plans
Before certification, a Detailed Landscape Plan must be submitted to and approved by the Responsible Authority. The plan must be consistent with the plan of subdivision approved for the site and must show:

a. All land that will become Council land within that stage;
b. A detailed planting layout and schedule of all proposed trees, shrubs and groundcovers. Including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
c. All open space and streetscape embellishments (including materials and finishes) shown on plans endorsed under the permit, such as pathways, garden beds, seating, shelters, picnic facilities, BBQ's, boardwalks, tree planting, signage, public lighting, drinking fountains, irrigation systems, playgrounds, artwork, retaining walls, protective fencing (temporary and permanent), wetlands and ornamental water bodies;
d. Existing and proposed ground levels/contours, including any structural elements such as retaining walls, fencing or bollards and garden edging;
e. Vehicle access points for maintenance purposes;
f. Mechanisms/structures for the exclusion of vehicles from landscaped areas where applicable;
g. All proposed street-tree planting using semi-advanced trees sourced in accordance with nursery standards, with minimum container size of 45 litres. Refer to Latrobe City Council's street tree list;
h. The supply and spread of sufficient topsoil and subsoil if required on the proposed areas of open space to provide a stable, free draining surface, free of compaction and hydro-seeding of proposed grass areas (including within drainage reserves);
i. Details of all boundary fencing shared between residential and Council reserves to show either:
    i. a maximum height of 1.2 metres
    ii. a maximum height of 1.8 metres with 75% permeability
    iii. other as approved by the Responsible Authority in writing.
j. Details of tree protection zones where applicable (I.e. existing trees being retained).

12. Before the issue of a Statement of Compliance for each stage or by such later date as approved by the Responsible Authority in writing, all works identified on the landscape plan must be completed in accordance with the endorsed detailed landscape plan and to the satisfaction of the Responsible Authority.

13. *Landscape Maintenance Plan*

Before to the issue of a Statement of Compliance for each stage under the Subdivision Act 1988 or by such later date as is approved by the Responsible Authority in writing, a Landscape Maintenance Plan must be submitted to the Responsible Authority for its approval. When approved the plan will be endorsed and will then form part of the permit. The Landscape Maintenance Plan must show a 24 month scheduled period of works (including works to be completed, minimum maintenance standard and dates of 6 monthly inspections with the Recreation and Open Space team) for each of the following features:

- Grass cutting and edging;

- Grass coverage;
- Weed management;
- Plant maintenance;
- Tree watering and care;
- Mulch coverage;
- Litter management; and
- Playground/ street furniture maintenance and repairs.

During this maintenance period, the permit operator must submit condition reports (including photos) on the dates/frequency detailed in the Landscape Maintenance Plan and prompt regular inspections with the Responsible Authority.

14. After the issue of Statement of Compliance for each stage or by such later date as approved by the Responsible Authority in writing, a two (2) year landscape maintenance period will commence.

    During this period, the permit operator must maintain the land within that stage in accordance with both the endorsed detailed Landscape Plan and the Maintenance Plan and Schedule.

    The permit operator must notify Council's Recreation and Open Space Officers of pending progress inspections as detailed in the Maintenance Plan and Schedule to arrange the inspection of works completed.

    At the completion of the maintenance period, if all landscaping is deemed satisfactory the land can be handed over to the Responsible Authority for ongoing maintenance.

    If at any time it is deemed that landscaping is not being maintained to the satisfaction of the Responsible Authority, the Responsible Authority may require a revised maintenance schedule to address concerns identified and/or extend the maintenance period.

15. **Health Conditions**

    Sewage, sullage and other liquid wastes to arise from the development shall be treated and retained on site by a septic tank system in accordance with the requirements of the Environment Protection Act 2017, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891.4 (2016) and the Responsible Authority.

16. Stormwater from the proposed dwelling/outbuilding must be diverted away from the septic tank, secondary treatment system and subsurface irrigation disposal field.

17. A secondary wastewater treatment system that has current JAZANZ Certificate of Conformity for the treatment of wastewater to a secondary

(20 BOD/30 Suspended Solids) standard of effluent must be installed on each lot to the satisfaction of the Responsible Authority and then disposed of through pressure compensating sub-surface irrigation.

18. Land soil Unit A – lots with slope of less than 10% (Lots 6, 7, 9-14) require a minimum wastewater envelope of 400m2 subsurface irrigation for a four bedroom house Land soil Unit B – lots with a slope of between 10% and 20% (Lots 1-5, 8, 15-23) require a minimum of 462m2 subsurface irrigation for a four bedroom house.

19. No wastewater can be disposed of to an area where any dams were present.

20. Wastewater envelopes must have a minimum 3m setback from downslope properties.

21. Wastewater envelopes must be a minimum of 15m setback from any site cuts downslope of the wastewater disposal field.

22. Prior to the commencement of construction of the dwellings or sheds, an Application for a Permit to Install a septic tank system must be submitted and approved by Council prior to any installation.

23. It is a requirement that should any plumbing fixtures be installed within any of the outbuildings, that they are connected to a septic tank onsite wastewater system and that all appropriate wastewater permits are obtained as per the Environment Protection Act 2017 before connection is made to the septic tank wastewater system.

24. All works and development associated with this permit must be carried out in line with the Land Capability Assessment for Onsite wastewater Management – Report No LCA14092021, Milward Engineering Management Pty Ltd, September 2021.

25. Prior to the issue of a Statement of Compliance for the plan of subdivision under the Subdivision Act 1988, the owner/applicant must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 and must make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act which provides that for Lots 1-23 created by the subdivision:

    a) The building envelope in accordance with the endorsed development plan must be registered on title.
    b) The effluent envelope in accordance with the endorsed development plan must be registered on title.
    c) Any dwelling on the site must be serviced by a JAZANZ Certificate of Conformity approved waste water treatment plant to treat effluent to a quality standard of 20/30/10.
    d) A Land Capability Assessment must be submitted with an Application

for a Permit to Install a septic tank system.

e) The waste water treatment plant must be maintained in accordance with the JAZ_ANZ Certificate of Conformity conditions and Council wastewater requirements.
f) In the event of sewerage becoming available the dwelling must be connected to the reticulated system within six (6) months of the date of availability.
g) This agreement will expire when the site connected to a reticulated sewerage scheme.

26. **Engineering Conditions**

Before the plan of subdivision is certified under the Subdivision Act 1988, a Stormwater Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plan will then form part of the permit. The report is to be based upon the "Stormwater Management Plan (Milward Engineering Management, v 4.0 dated 14 July 2023) and must address the following:

a) Details (including on-site detention) to ensure all stormwater discharge from each of the lots on the land is limited to pre-development flows and to ensure there are no adverse effects on flooding either upstream or downstream of any development on the land. Oversize underground drainage pipes for stormwater detention, shall not form any part of the drainage system to become the responsibility of Latrobe City Council at the expiry of the maintenance period.

b) Provide updated model details and computations used to quantify the treatment of stormwater discharge from the development, to achieve the objectives for environmental quality as set out in the Urban Stormwater Best Practice Environmental Guidelines (CSIRO) 1999.

c) Provide a sketch plan of how the onsite stormwater detention/reuse tanks should be plumbed for use as an attachment to a section 173 agreement.

d) Where grassed swales are proposed for use, they must have batters of no steeper than 1 in 5 so as to be trafficable by mowers to allow for ease of maintenance.

e) Relocation of gross pollutant traps so as to be accessible by maintenance vehicles.

f) Removal of all references to "*specialist stormwater filtration system*".

g) A maintenance plan for all water sensitive urban design (WSUD) devices to be constructed as part of this strategy. The maintenance plan must include full routine maintenance works including monthly, quarterly and annual inspections, weed removal, sediment clean out,

litter management and remedial works. The plan should include appropriate references to the "*Guidelines for the Maintenance of Stormwater Treatment Measures*" by Stormwater New South Wales. The plan shall include the provision of copies to the Responsible Authority within one (1) calendar month of each inspection, of all maintenance inspection forms completed for each inspection, any defects identified and the date and time rectification works were completed.

27. Plans submitted for certification under the Subdivision Act 1988 must show to the satisfaction of the Responsible Authority:

    a) Easements for drainage purposes.

    b) A restriction on Lots 1, 15 and 23 such that the registered owners of these lots will not make any alterations to the surface levels, construct any structure or plant any vegetation other than grass within the area of the restriction, other than with the written consent of the Responsible Authority.

    c) Road reserve widths complying with Latrobe City Council's design guidelines and the endorsed plans under this permit.

    d) Splays, a minimum of 3 metres by 3 metres unless required otherwise, at all intersections of the local road network.

    e) Street names complying with the requirements of the Victorian Government's "*Naming rules for places in Victoria 2022*".

28. The provision of entrance features to the development such as estate signage, shall not be located within any road or public open space reserve unless with the written agreement of the Responsible Authority.

29. Prior to certification of the Plan of Subdivision under the Subdivision Act 1988, a functional layout plan for the subdivision must be submitted to and approved by the Responsible Authority. When approved the functional layout plan will be endorsed and will then form part of the permit. The functional layout plan must be drawn to scale with dimensions and an electronic copy (PDF) provided. The functional layout plan must incorporate the following:

    a) A fully dimensioned subdivision layout, including proposed street names, approximate lot areas, lot numbers and widths of street reservations.

    b) Topography and existing features, including contours for the subject land and any affected adjacent land.

    c) The location of all trees (or group of trees) existing on the site, including dead trees and those that overhang the site from adjoining land.

d) Details of tree protection zones (TPZs), for all trees to be retained on site (if any).

e) Any trees proposed for removal from the site clearly designated.

f) Typical cross-sections for each street type, dimensioning individual elements, services offsets and street trees.

g) Details of intersection treatments and traffic calming measures in accordance with Latrobe City Council's design guidelines and Austroads' Guide to Traffic Management.

h) Location and alignment of kerbs, footpaths, line marking and traffic controls.

i) The location of all temporary vehicle turn around areas.

j) The proposed minor drainage network.

k) The major drainage system, including any watercourse, wetland, silt pond or other water sensitive urban design devices, and/or piped elements showing preliminary sizing and any land required for maintenance access.

l) Overland stormwater flow paths (100 year ARI) to indicate how excess runoff will be safely conveyed to its destination including from adjacent upstream areas and for the protection of existing downstream properties.

m) Preliminary location of reserves for electrical kiosks;

n) Works external to the subdivision, including both interim and ultimate access requirements.

30. Functional layout plans and the detailed engineering plans are required to incorporate the following changes to the Access & Servicing Plans (Crossco Consulting Pty Ltd, drawings numbered 2691 dated 10 October 2023):

a. The new internal court to have a minimum road carriageway width of 7.3 metres.

b. Barktown Road south of the new internal road to have a sealed road pavement at least 6.2 metres wide.

c. No island within the court bowl.

d. The footpath along Limonite Road to be extended to Fairmont Street.

e. No retaining walls located within road reserves.

f. Removal of notes regarding oversized detention storage drainage.

31. Prior to the commencement of any road and/or drainage works for the subdivision, detailed engineering plans and specifications must be submitted to the satisfaction of and approved by the Responsible Authority. The engineering plans must be generally in accordance with the approved Functional Layout Plans and consistent with the approved landscape detail plans. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and electronic copies in both PDF and DWG formats must be provided. The plans must include:

a) Design and construction of the new roads including connection to existing roads. The roads shall be designed and constructed in accordance with the endorsed plans and Latrobe City Council's design guidelines including provision of kerb and channel along both sides and a sealed carriageway width of 7.3 metres.

b) Design and construction in accordance with Latrobe City Council's design guidelines and the endorsed cross sections, for that part of Barktown Road from Fairmont Street to the southern extent of the development including provision of a sealed road pavement and kerb and channel along the west side between the new internal road and Fairmont Street.

c) Concrete footpaths along one side of all proposed new streets, along Limonite Road from the new internal road to Fairmont Street, and along Barktown Road from the new internal road to the northern end of the development, to be provided in accordance with the endorsed plans and Latrobe City Council's design guidelines.

d) Intersection treatment in accordance with Latrobe City Council's design guidelines and Austroads "Guide to Traffic Management".

e) Earthworks shall be undertaken within the development to ensure that vehicle access can be obtained to each proposed allotment.

f) Details of any cut and fill.

g) Vehicle crossings must be constructed to provide access to lots where swale drains are to be constructed along the abutting naturestrips.

h) Underground piped drainage to each lot and provision of over-land surcharge routes and cut-off drains. Drainage plans must include hydraulic computations. The stormwater drainage system must:

– Be designed to take the 20% AEP storm event,

– The provision of property stormwater drainage connections so that each lot is drained from its legal point of discharge to the stormwater drainage system.

- Meet the current best practice performance objectives for stormwater quality as contained in the "Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999" as amended.
- Ensure that flows downstream of the subdivision site are restricted as proposed in the endorsed Stormwater Management Plan.

i) An underground piped drainage system conveying stormwater from the development area to a watercourse or Latrobe City Council managed drainage system for the 20% AEP storm event, including:

   i. The provision of property stormwater drainage connections so that each lot is drained from its legal point of discharge to the stormwater drainage system.

   ii. The provision of gross pollutant traps for removal of coarse sediments prior to discharging to Latrobe City Council's existing drainage systems.

j) Provisions shall be made for stormwater from all storm events greater than the 20% AEP event and up to and including the 1% AEP storm event including:

   - Provision of over-land stormwater surcharge routes and cut-off drains for the safe and effective passage of stormwater flows arising from both within the development and from areas upstream of the development.
   - All new and existing lots should be free from inundation.
   - All roads that are subject to flooding must meet the safety criteria $d_a v_{ave} < 0.35$ m^2/s (where d_a = average depth in metres and v_{ave} = average velocity in metres per second).

k) Construction of stormwater treatment facilities generally as proposed in the approved stormwater management strategy. Stormwater treatment facilities shall be designed to achieve the objectives for environmental quality as set out in the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

l) Street lighting in accordance with Australian Standard AS1158, along all new roads and upgraded street lighting at the locations of proposed intersection works external to the development.

m) All traffic signage, street name signage and road pavement line marking.

n) High stability permanent survey marks at locations in accordance with Latrobe City Council's Design Guidelines, levelled to the Australian Height Datum and coordinated to the Map Grid of Australia

(MGA2020).

o) Details of any Tree Protection Zones.

32. Prior to the commencement of any road, drainage or landscaping works associated with the subdivision, a Site Management Plan shall be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of the permit. The Site Management Plan must include:

a) Traffic management measures - the plan must detail measures proposed to protect and maintain vehicle use of the existing road system and pedestrians using existing footpaths adjacent to the development, how site access will be obtained, how construction vehicles will access and egress the site and the management of public access to the site. The plan must include details of all signage on adjacent roads.

b) Construction management measures - the plan must outline how issues such as deliveries, noise, mud on roads and dust generation will be managed onsite during the construction phase. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise.

c) How any fill material either transported to the site or stockpiled on-site will be assessed and managed in accordance with the requirements of the Environment Protection Act. Any stockpiled soils must be adequately protected behind a sediment barrier to prevent sediment laden runoff to the satisfaction of the Responsible Authority.

d) An environmental management plan for the works detailing techniques for erosion prevention, temporary drainage and sediment control measures and vegetation protection during the construction of the works and post construction. Reference should be made to the Environment Protection Authority's publication 960 "*Doing it right on subdivisions"*.

e) Cultural protection issues – the plan must demonstrate how the recommendations of any Cultural Heritage Management Plan applying to the land are to be carried out.

33. Control measures in accordance with the approved Site Management Plan shall be employed throughout the construction of the works to the satisfaction of the Responsible Authority. The Responsible Authority must be kept informed in writing of any departures from the Site Management Plan. If in the opinion of the Responsible Authority the departure from the approved plan is significant then an amended plan must be submitted to and approved by the Responsible Authority. The approved measures must be carried out continually and completed to the satisfaction of the Responsible Authority.

34. Polluted drainage must be treated and/or absorbed on the lot from which it emanates to the satisfaction of the Responsible Authority. Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates or into a watercourse or easement drain.

35. The extent and depth of excavation and/or filling must not exceed that shown on the approved plan without the prior written consent of the Responsible Authority.

36. Without the prior written consent of the Responsible Authority, no soil can be stockpiled unless it is carried out in accordance with any other condition of this Permit or in accordance with an approved Construction Management Plan.

37. At their discretion, the Responsible Authority may allow bulk earthworks to commence prior to approval of detailed engineering (road, drainage and ancillary) plans. The following requirements must be complied with to the satisfaction of the Responsible Authority for any stage of subdivision:

    a. Functional Layout Plans and Bulk Earthwork Plans must be submitted and approved by the Responsible Authority before any earthworks commence.

    b. Bulk Earthworks must be contained to stage boundaries. No batter slope overruns shall be allowed without relevant plans.

    c. No structures, including but not limited to retaining walls, shall be permitted with early Bulk Earthworks.

    d. Bulk Earthworks must not commence prior to the approval of a Construction Management Plan for the works. Once approved the Construction Management Plan will form part of the endorsed set of planning documents.

    e. A Geotechnical Report completed by a suitably qualified geotechnical engineer must be submitted to and be to the satisfaction of the Responsible Authority. Bulk earthworks shall not commence until the Report is to the satisfaction of the Responsible Authority. All Bulk Earthworks shall be done under “Level 1 inspection and testing” conditions, as per Australian Standard AS3798.

    f. All fill material imported to the site shall be tested in accordance with EPA requirements and certification provided that all imported fill is contamination free.

38. No topsoil is to be removed from land covered by the subdivision without the written consent of the Responsible Authority.

39. Prior to the issue of the certificate of practical completion for piped drainage works, CCTV results for the full length of all storm water

drainage pipes for which Latrobe City Council will become responsible at the expiry of the maintenance period, must be submitted for assessment. The CCTV work is to be performed by an independent specialist contractor to the satisfaction of the Responsible Authority, at the permit operator's cost. The submitted information is to be to the satisfaction of the Responsible Authority.

40. Before a Statement of Compliance is issued for this subdivision under the Subdivision Act 1988, the operator of this permit must construct road works, drainage and other civil works to the satisfaction of the Responsible Authority, in accordance with the engineering plans and specifications approved by the Responsible Authority and must include:

    a) All proposed new roads in accordance with the endorsed plans.

    b) Barktown Road abutting the development in accordance with the endorsed plans.

    c) Appropriate intersection treatments.

    d) Concrete footpaths along all proposed streets, along Barktown Road and along Limonite Road.

    e) Earthworks within the development to ensure that vehicle access can be obtained to each proposed allotment.

    f) Vehicle crossings must be constructed to provide access to lots where swale drains are to be constructed along the abutting naturestrips.

    g) An underground piped drainage system conveying stormwater from the development area to a watercourse or Latrobe City Council managed drainage system for the 20% AEP storm event, including:

        i. The provision of property stormwater drainage connections so that each lot is drained from its legal point of discharge to the stormwater drainage system.

        ii. The provision of gross pollutant traps for removal of coarse sediments prior to discharging to Latrobe City Council's existing drainage systems.

    h) Works to ensure that flows downstream are in accordance with the approved stormwater management plan.

    i) Works to ensure the stormwater management system meets current best practice performance objectives for stormwater quality in accordance with the approved stormwater management plan.

    j) Provisions for stormwater from all storm events greater than the 20 % AEP year event and up to and including the 1 % AEP storm event including:

i. Provision of over-land stormwater surcharge routes and cut-off drains for the safe and effective passage of stormwater flows.

ii. Arrangements for the capture of overland stormwater flows from adjacent upstream areas not previously developed and to prevent flows from discharging across downstream properties.

iii. All new and existing lots should be free from inundation.

iv. All roads that are subject to flooding must meet the safety criteria $d_a v_{ave} < 0.35$ m^2/s (where d_a = average depth in metres and v_{ave} = average velocity in metres per second).

k) Street lighting along all new roads and upgraded street lighting at the locations of proposed intersection works and along all those sections of external roads where access is obtained directly to lots in the development.

l) All traffic signage, street name signage and road pavement line marking.

m) The installation and registration of high stability permanent survey marks.

41. Before a Statement of Compliance is issued for this subdivision under the Subdivision Act 1988, the operator of this permit must construct fences along all allotment boundaries abutting reserves in accordance with the approved landscape plans.

42. Before a Statement of Compliance is issued for this subdivision under the Subdivision Act 1988, the operator of this permit must pay to Latrobe City Council:

a) For all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period, an engineering plan checking fee of an amount equivalent to 0.75% of the estimated cost of constructing the works proposed on the engineering plans,

b) For all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period, an amount equivalent to 2.5% of the estimated cost of constructing the works which are subject to supervision, and

c) The sum per street tree as prescribed in Latrobe City Council's fees and charges (or if no sum is prescribed, $490), for the provision of street trees along all streets as shown on the endorsed landscape plans, where street trees are not planted by the operator of this permit.

43. Before a Statement of Compliance is issued for this subdivision under the Subdivision Act 1988, the operator of this permit must provide to the

satisfaction of the Responsible Authority:

a) Final as-built plans for all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period, in an electronic format complying with A-Spec requirements, levelled to the Australian Height Datum and coordinated to the Map Grid of Australia (MGA2020).

b) Final as-built plans in an electronic DWG format, for all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period.

c) Certification by a licensed surveyor of the registration of all constructed Permanent Survey Marks.

44. Before a Statement of Compliance is issued for this subdivision under the Subdivision Act 1988, the maintenance period for all works to become the responsibility of Latrobe City Council, must be completed to the satisfaction of the Responsible Authority unless an arrangement to secure compliance with this condition has been agreed to in writing by the Responsible Authority under Section 21(1)(b)(ii) of the Subdivision Act 1988.

45. Prior to the issue of a Statement of Compliance for this subdivision under the Subdivision Act 1988, the operator of this permit must enter into an agreement with the Responsible Authority, made pursuant to Section 173 of the Planning and Environment Act 1987, to the effect that:

a) Every dwelling erected on a lot created by subdivision of the land must, in a proper and workmanlike manner to the reasonable satisfaction of the Responsible Authority, prior to the Occupancy Permit being issued for the dwelling either:

i. Install a stormwater tank with the designated minimum detention storage and re-use capacities and all roof areas of the dwelling and all buildings on the land with a roof area greater than 10 square metres, must be connected directly to the stormwater tank system in accordance with the details in the stormwater strategy as approved under Planning Permit 2023/186 issued by Latrobe City Council. The rainwater tank must be, as a minimum, plumbed to all toilets and laundries in each dwelling constructed on each lot and maintained in accordance with the endorsed Stormwater Management Strategy. or

ii. Provide an alternative stormwater detention solution first approved in writing by the Responsible Authority and the West Gippsland Catchment Management Authority, which requires the Owner to submit engineering plans and hydraulic calculations prepared by an appropriately qualified engineer, to the Responsible Authority and the West Gippsland Catchment

Management Authority, for review; and

b) For all lots that contain all/part of a stormwater management asset, the current and future owner(s) of these lots must comply with all requirements of the endorsed Stormwater Management Plan at all times to the satisfaction of the West Gippsland Catchment Management Authority and the Responsible Authority; and

c) Make application to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act; and

d) Pay the reasonable costs of the preparation, review, and execution and registration of the Section 173 Agreement; and

e) Provide Council with a copy of the dealing number issued by the Titles Office; and

f) Once titles are issued, provide either:

i. a current title search; or

ii. a photocopy of the duplicate certificate of Title as evidence of Registration of the Section 173 Agreement on title.

46. Unless otherwise required in this permit, all works to become the responsibility of Latrobe City Council at the expiry of the maintenance period, shall be maintained by the operator of this permit for a period of not less than three (3) months from the date of practical completion of the works. Maintenance of road works shall include all inspections required in accordance with Latrobe City Council's Road Management Plan. At the completion of this maintenance period to the satisfaction of the Responsible Authority, a Defects Liability Period of not less than nine (9) months shall then apply to the works. Any defects occurring during the defects period shall be rectified by the operator of this permit to the satisfaction of the Responsible Authority. At the completion of this Defects Liability period to the satisfaction of the Responsible Authority, a Final Completion certificate for the works will be issued.

47. The operator of this permit must maintain to the satisfaction of the responsible authority, all water sensitive urban design (WSUD) devices constructed under this permit for a period of two (2) years. The maintenance period shall commence on the date the construction of the WSUD devices is certified by the Responsible Authority as practically complete. The maintenance of water sensitive urban design (WSUD) devices constructed under this permit must include full routine maintenance works including monthly, quarterly and annual inspections, weed removal, sediment clean out, litter management and remedial works as prescribed in the approved WSUD maintenance plan. The operator of this permit must provide copies to the Responsible Authority within one (1) calendar month of each inspection, of all maintenance inspection forms

completed for each inspection, any defects identified and the date and time rectification works were completed. Any defects occurring during the maintenance period shall be rectified by the operator of this permit to the satisfaction of the Responsible Authority.

48. The layout of the subdivision as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

49. **Public Open Space Contribution Condition:**

Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 for the subdivision, an 8% public open space contribution as specified in the schedule to Clause 53.01 of the Latrobe Planning Scheme must be made to the Responsible Authority to the satisfaction of the Responsible Authority.

50. **Section 173 Agreement:**

Before the issue of Statement of Compliance under the *Subdivision Act* 1988, the operator of this permit must:

a) enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act* 1987 (the Act) that requires the following:
   i. all habitable buildings must be constructed wholly within the building envelope shown on the endorsed plan of Planning Permit 2023/186;
   ii. this envelope cannot be varied except with the written consent of the Responsible Authority. This can be achieved via an amendment to the endorsed plans; and
b) Make application to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act; and
c) Pay the reasonable costs of the preparation, review, and execution and registration of the Section 173 Agreement; and
d) Provide Council with a copy of the dealing number issued by the Titles Office; and
e) Once titles are issued, provide either:
   i. a current title search; or
   ii. a photocopy of the duplicate certificate of Title as evidence of registration of the Section 173 Agreement on title.

51. **AusNet Electricity Services Conditions**

The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.

52. The applicant must –

a) Enter in an agreement with AusNet Electricity Services Pty Ltd for

supply of electricity to each lot under 16Ha on the endorsed plan.

b) Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.

c) Enter into an agreement with AusNet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AusNet Electricity Services Pty Ltd.

d) Provide easements satisfactory to AusNet Electricity Services Pty Ltd for the purpose of "Power Line" in the favour of “AusNet Electricity Services Pty Ltd” pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.

e) Obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the lots.

f) Adjust the position of any existing AusNet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.

g) Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for any electric substations or Isolating Transformers.

h) Provide to AusNet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.

i) Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AusNet Electricity Services Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.

j) Ensure that all necessary auditing is completed to the satisfaction of AusNet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

53. **BMO Mandatory Condition**

Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

a) State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Latrobe Planning Scheme.

b) Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.

c) State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

54. **CFA Conditions**

Amended Bushfire Management Plan Required

Prior to the Statement of Compliance under the Subdivision Act 1988, an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible Authority.

The plan must be generally in accordance with the plan by Firefront Consultancies, Version 3 Dated 16/10/2023, but modified to amend the boundary of Lot 23 in line with the boundary shown on the Proposed Plan of Subdivision - PS827377P.

55. *Construction of Vehicle Access*

Before the Statement of Compliance is issued under the Subdivision Act 1988, the vehicle access arrangements as specified within the Traffic Assessment Report, Issue 2.1, dated 17 April 2023 and prepared by Milward Engineering Management Pty Ltd, must be implemented to the satisfaction of the Responsible Authority.

56. *Fire Hydrants*

Before the statement of compliance is issued under the Subdivision Act 1988, the following requirements must be met to the satisfaction of CFA:

a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants must be no more than 120 metres apart, or to the satisfaction of CFA.

b) The hydrants must be identified with marker posts or vertical surface

markers, white road triangles and blue road reflectors (as applicable).

Note – CFA's requirements for the identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' (available under publications on the CFA website www.cfa.vic.gov.au).

57. **Gippsland Water Conditions**

The following conditions must be met by the owner:

a) Prior to the commencement of any water works that will be vested in Gippsland Water, the owner of the land, the developer and the design consultant must enter into and execute a Developer Works Deed of Agreement with Gippsland Water, under Gippsland Water's Land Development system, for the complete construction of works necessary for the provision of water supply, in accordance with Gippsland Water's standards, to all lots of the subdivision. Pay to Gippsland Water any fees and contributions and satisfy all conditions pertaining to the aforementioned deed. Please refer to our website: https://www.gippswater.com.au/developers/information/information-designconsultants and download Form 1 to apply for a Developer Works deed of agreement.

b) Prior to Certification, design plans must be submitted outlining the size and the location of the works to determine where easements will be required. These plans must be accepted by Gippsland Water prior to Gippsland Water consenting to certification of the relevant plan of subdivision.

c) Prior to Statement of Compliance, install water services to the satisfaction of Gippsland Water. As Constructed details showing the location of the installed services are required to be submitted to Gippsland Water.

d) Prior to Statement of Compliance, pay to Gippsland Water New Customer Contributions for the change in servicing of the land. These fees will be based on Gippsland Water's Essential Services Commission approved charges.

e) As advised in previous correspondence, as part of the planning permit application is also to remove the part of the water supply easement E-1 on LP142105 that effects this plan, the Owner/Developer at their cost, must remove the decommissioned AC and decommissioned PVC water mains currently located within the property.

58. **Telecommunications Condition:**

The owner of the land must enter into an agreement with:

a) a telecommunications network or service provider for the provision of

telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

c) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and

d) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

59. **Expiry of Permit**

This permit will expire if one of the following circumstances applies:

a) The plan of subdivision is not certified within two years of the date of this permit, or
b) The registration of the subdivision is not completed within five years of certification.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

Note: The commencement of the subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of the plan, and completion is regarded as the registration of the plan.

Note 1 Before any earthworks are undertaken, it is recommended that you contact Dial Before You Dig on 1100.

Note 2 The operator of this permit must ensure that all relevant Permits have been obtained prior to the commencement of the use.

Note 3 In accordance with section 17 of the Subdivision Act, the works required to be undertaken under this permit as part of the subdivision hereby permitted, shall not commence until the Plan of Subdivision has been certified and the engineering plans for the works required have been approved.

Note 4 In accordance with the requirements of the Road Safety (Traffic Management) Regulations, a responsible entity for a road or road-related area (as defined in the Road Safety Act) may install Major Traffic Control Devices on the road or road–related area only with the authority of VicRoads.

Note 5 CHMP note
Compliance with the recommendations and provisions of Cultural Heritage Management Plan No 18144 prepared by U.C.A. Pty Ltd Cultural Heritage Planners March 2022 and approved by Gunaikurnai Land and Waters Aboriginal Corporation on 28 April 2022 is a requirement of the Aboriginal Heritage Act (2006). Any action contrary to the recommendations and conditions of an approved CHMP which causes harm to Aboriginal cultural heritage is an offence.

PLAN OF SUBDIVISION

EDITION 1

PS827377P

LOCATION OF LAND

PARISH: MIRBOO

CROWN ALLOTMENT: 140A (PART)

TITLE REFERENCE: VOL. 9546 FOL. 255

LAST PLAN REFERENCE: LP143105 (LOT B)

POSTAL ADDRESS: YOUNG STREET BOOLARRA 3870
(at time of subdivision)

MGA CO-ORDINATES: E: 436000 ZONE: 55
(of approx centre of land in plan) N: 5750800 GDA 2020

COUNCIL: LATROBE CITY

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
ROAD R1	LATROBE CITY COUNCIL
RESERVE No.1	LATROBE CITY COUNCIL

NOTATIONS

DEPTH LIMITATION 15.24 metres

SURVEY:
This plan is based on survey.

This survey has been connected to permanent marks no(s): 112 & 123

In Proclaimed Survey Area No. ———

STAGING:
This is not a staged subdivision.

Planning Permit No.

NOTATIONS

ADDITIONAL PURPOSE OF THIS PLAN:
Removal of that part of water supply easement E-1 on LP142105 as affects land in this plan.

GROUNDS FOR REMOVAL:
Latrobe City Planning Permit No. _____

THIS PLAN IS FOR PLANNING PERMIT PURPOSES ONLY

EASEMENT INFORMATION

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	DRAINAGE	3	THIS PLAN	LATROBE CITY COUNCIL
E-2	DRAINAGE	20	THIS PLAN	LATROBE CITY COUNCIL

SMEC
Member of the Surbana Jurong Group
Traralgon - T 03 5173 0100

SURVEYORS FILE REF: 3129s

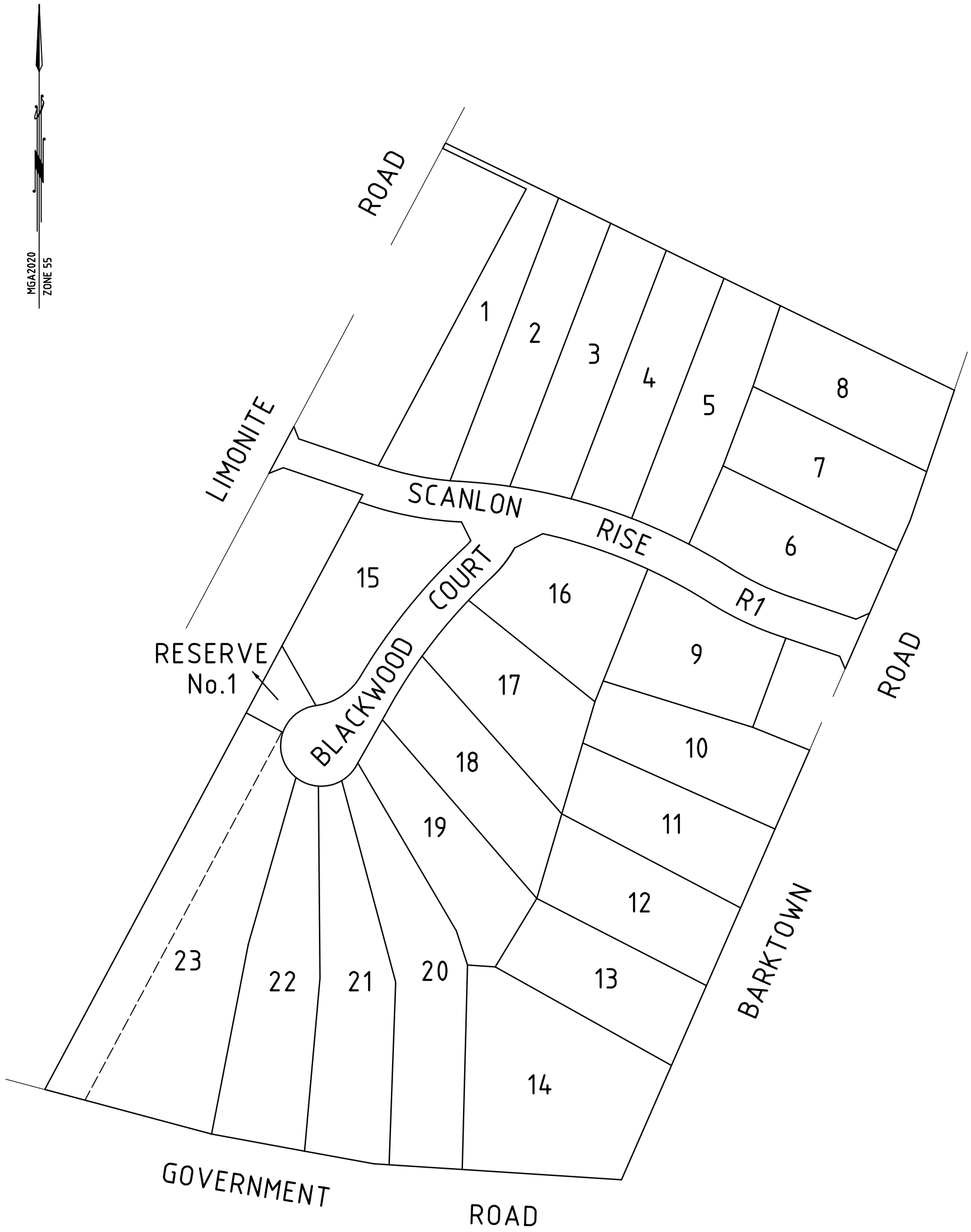
ORIGINAL SHEET SIZE: A3

SHEET 1 OF 6

OLIVER MICHAEL PURBRICK

VERSION E

PS827377P



SMEC Member of the Surbana Jurong Group Traralgon - T 03 5173 0100	SCALE 1 : 2000	20 0 20 40 60 80 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 2
	OLIVER MICHAEL PURBRICK VERSION E			

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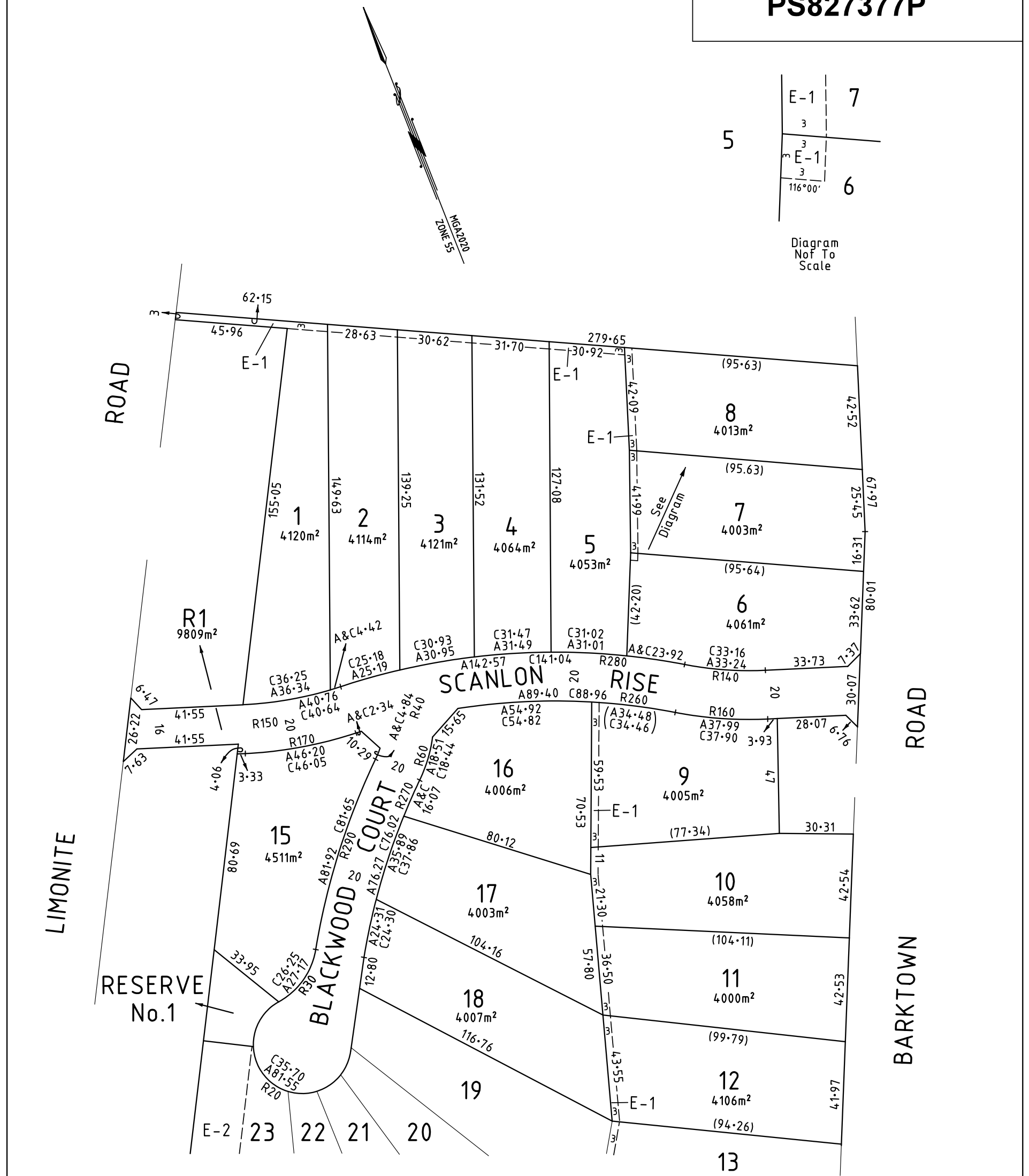

SEE SHEET 4

SMEC Member of the Surbana Jurong Group Traralgon - T 03 5173 0100	SCALE 1 : 1500	15 0 15 30 45 60 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 3
	OLIVER MICHAEL PURBRICK VERSION E			

PS827377P

84 m2 Encumbered

RESERVE No.1

BLACKWOOD COURT

R1

15

18

19

20

21

22

23

E-2

E-1

12

13

14

695m²

4011m²

6113m²

5893m²

5985m²

4003m²

7739m²

1·136ha

33·95

37·50

C21·04
A22·15

20·56

24·57

1·38

A10·63
C10·51

C35·70
A81·55
R20

A24·76
C23·21

A12
C11·82

A12
C11·82

Diagram Nof To Scale

See Diagram

SEE SHEET 3

C26·25
A27·17
R30

38·74

116·76

96·25

103·14

95

85·74

17·70

13·72

39·59

(94·26)

(99·85)

43·10

61·66

78·86

122·72

36·19

7·66

34·77

81·46

46·69

85·70

95·49

90·28

101·10

211·08

206·40

20·54

85·33

20

3

MGA2020 ZONE 55

RESERVE No.1

BLACKWOOD COURT

BARKTOWN ROAD

GOVERNMENT ROAD

SMEC Member of the Surbana Jurong Group Traralgon - T 03 5173 0100	SCALE 1 : 1500	15 0 15 30 45 60 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 4
	OLIVER MICHAEL PURBRICK VERSION E			

PS827377P

LEGEND

- 1903m² — PROPOSED BUILDING ENVELOPE & AREA
- INDICATIVE WASTEWATER AREA (SUBJECT TO SPECIFIC SITE DESIGN IN ACCORDANCE WITH LAND CAPABILITY ASSESSMENT)
- INDICATIVE DRIVEWAY LOCATION – SINGLE
- INDICATIVE DRIVEWAY LOCATION – DOUBLE
- EXISTING TREES
- DAM — 0.02ha OF NATIVE VEGETATION IS PROPOSED FOR REMOVAL FROM WITHIN DAM WATERLINE AREA

MGA2020 ZONE 55

ROAD

1 2322m² | 2 2311m² | 3 2283m² | 4 2185m² | 5 2153m² | 6 1319m² | 7 1455m² | 8 1430m²

SCANLON RISE

LIMONITE ROAD

BARKTOWN ROAD

BLACKWOOD COURT

9 2001m² | 10 1511m² | 11 1482m² | 12 1527m² | 13 | 15 2014m² | 16 1766m² | 17 2325m² | 18 2078m² | 19

RESERVE No.1

SEE SHEET 6

SMEC Member of the Surbana Jurong Group Traralgon - T 03 5173 0100	SCALE 1 : 1500	15 0 15 30 45 60 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3 / SHEET 5
	OLIVER MICHAEL PURBRICK VERSION E		

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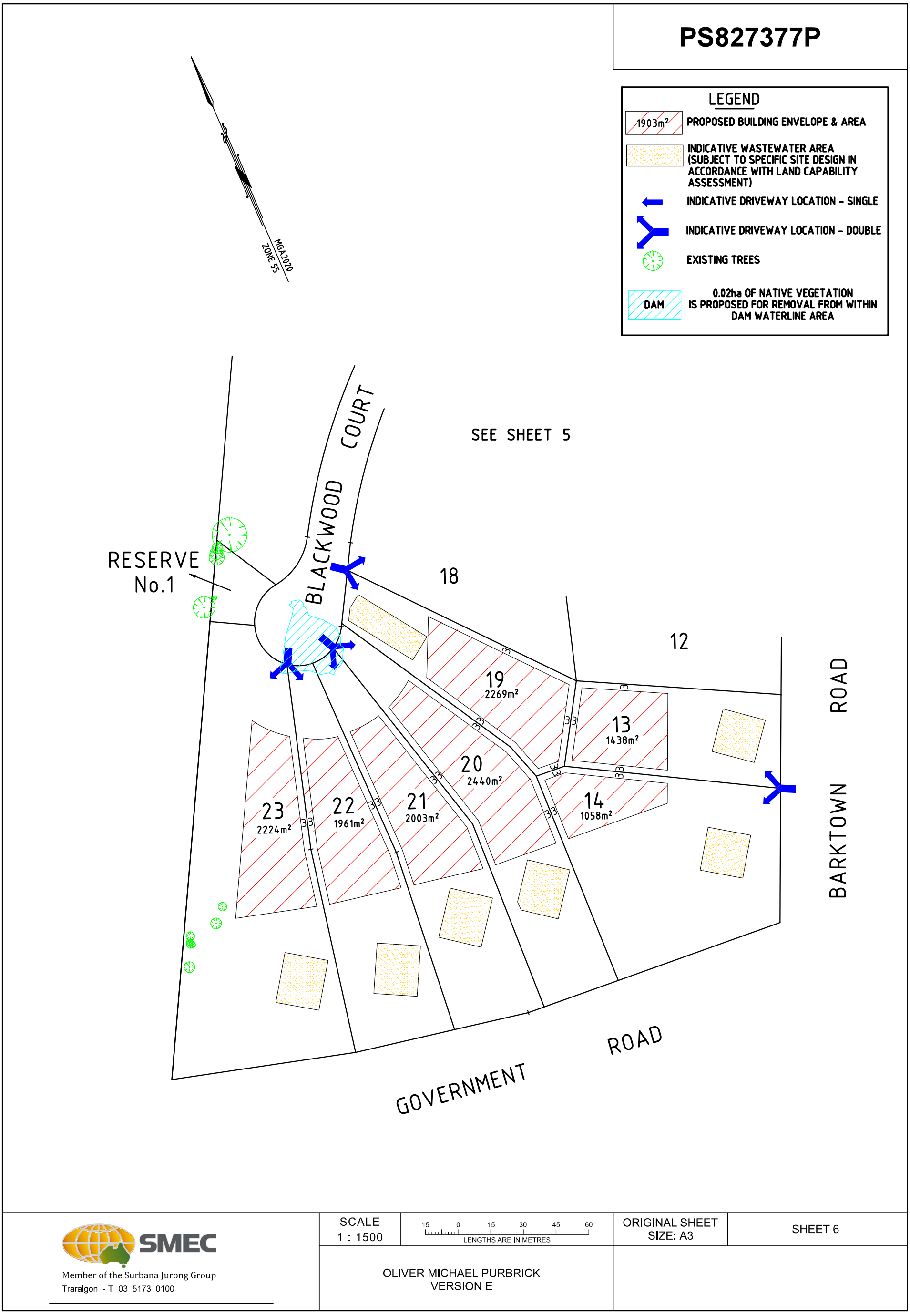


SMEC Member of the Surbana Jurong Group Traralgon - T 03 5173 0100	SCALE 1 : 1500	15 0 15 30 45 60 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3 / SHEET 6
	OLIVER MICHAEL PURBRICK VERSION E		

Response to Objections

Concern: Flooding and drainage

Most objections were concerned about flooding and drainage due to the stormwater runoff currently experienced by adjoining properties downslope of the site. They also reported multiple springs on the subject site that drain through adjoining properties. An increased risk of land surface slip due to high levels of clay and increased runoff, and management of stormwater discharge from the site during construction were also raised.

Officer Response:

If approved, Council will have drainage requirements for the development which will include stormwater drainage systems and property connections designed for 1 in 5 year storm events, overland flow routes for storms up to the 1 in 100 year storm event, no increase in pre-development stormwater discharges, and works to ensure best practice water quality parameters are met for stormwater discharge. All new drainage works relating to this subdivision must be completed to Council's satisfaction before new titles are issued.

The submitted stormwater management strategy proposes the provision of onsite stormwater detention to limit stormwater discharge from the development to pre-development discharge rates. Onsite detention is proposed utilising tanks on each lot which would be managed by each lot owner. Each lot would be required to be connected to an underground piped drainage system which would convey stormwater from the development area to a watercourse or a Council managed drainage system.

For storm events greater than 1 in 5 years and up to 1 in 100 years, the developer will be required to provide over-land stormwater surcharge routes and cut-off drains for the safe and effective passage of stormwater flows arising from both within the development and from areas upstream of the development.

In addition, swale drains are proposed to be located within Lots 1, 15 and 23 in the south-west of the site. These lots would abut the rear of properties in Limonite Road. These swale drains would replicate existing swales located within the site that appear to have been created to provide protection for the properties along Limonite Road from overland stormwater flows.

The swales are important for the protection of the Limonite Road properties and would be required to be managed by the owners of the lots. As such, a restriction would be required to be placed on the plan of subdivision over the swale drain within each of the three lots and a section 173 agreement placed on title to ensure that these drains are not removed and are maintained appropriately in perpetuity.

During construction, the applicant will be required to follow an environmental management plan that would form part of an approved construction management plan. The environmental management plan would detail techniques for erosion

prevention, temporary drainage and sediment control measures, and vegetation protection during the construction of the works and post construction.

With the above requirements included on any approval issued, it is considered that stormwater from the subdivision would be able to be managed to a level so as not to impact on adjoining properties.

With regard to springs and soil type on the subject site, Council's Health and Engineering teams have advised that a Land Capability Assessment submitted with a septic tank permit application will identify springs on lots. See below response for additional information with regard to these assessments.

Concern: Use of septic tanks

Objectors are concerned septic tanks will overflow into properties downslope creating a health hazard and that lots should be connected to sewer.

Officer Response:

'*Land Capability Assessment for On-Ste Wastewater Management at Young Street, Boolarra Vic 3870*' prepared by Milward Engineering Management Pty Ltd (September 2021) (LCA) was submitted with the application and has been assessed by Council's Health team. Health has advised that the lots in the subdivision would be able to effectively dispose of wastewater provided that the system used by each lot is a secondary wastewater treatment system with pressure compensating sub surface irrigation. This will ensure the irrigation field is evenly distributed despite the slope of the land. Other measures provided by Health to be included as conditions on any approval issued include:

- Stormwater from a dwelling and outbuilding must be diverted away from the septic system.
- Wastewater envelopes for each lot to be shown as a restriction on the plan of subdivision and to form part of a section 173 agreement to be registered on each new title.
- Wastewater envelopes to have a minimum area dependent on the slope of the site and to be setback from downslope properties and site cuts.
- Prior to the commencement of construction of the dwellings or sheds, an Application for a Permit to Install a septic tank system must be submitted and approved by Council prior to any installation.
- Each lot will be required to submit its own Land Capability Assessment (LCA) when applying for a permit for a septic tank system. This will also form part of the section 173 agreement. An LCA determines the ability of a site to safely dispose of wastewater and takes into consideration a range of issues including topography, soil types, drainage, and groundwater.

It is considered that with these measures in place each lot will be able to effectively dispose of wastewater without impacting adjoining properties.

Concern: Amenity impacts

Several objections raised the issue of potential amenity impacts from construction noise, traffic, streetlights and additional people.

Officer Response:

The site is zoned Low Density Residential Zone therefore it is able to be subdivided and developed in accordance with the zone provisions. Amenity impacts from construction noise should be relatively short lived and are governed by the EPA.

Streetlights will be a permit requirement for the subdivision to provide for resident safety. This is a standard council requirement within an urban area.

Concern: Conflict between residential use and agricultural uses

Potential conflict between proposed subdivision and adjoining rural bush block (animal noise and smell, machinery noise).

Officer Response:

The land to the south of the site is located in the Farming Zone and is separated from the subject site by an unmade government road. The lots proposed for the south of the site would have frontage to an internal road and would have building envelopes set back a substantial distance from their rear boundaries. Any purchaser of these lots will be able to see that these lots are near agricultural land. As such it is considered that the design of the subdivision has reduced any potential future conflict as far as possible.

Concern: Increase in traffic

Increase in traffic at the Young Street/Bastin Street intersection and associated risk to pedestrians as there are no footpaths.

Officer Response:

'Traffic Assessment Report' prepared by Milward Engineering Pty Ltd (April 2023) (TAR) was submitted with the application and has been assessed by Council's Engineering Development team. The TAR states the following with regard to traffic expected to be generated by the subdivision:

The proposed residential development comprising up to 23 new low density residential lots which will generate 230 vehicles per day to and from the development with morning and afternoon peaks of 20 vehicles per hour. The distribution of traffic to and from the development utilises both Limonite Road and Barktown Road via new intersections and predominately connecting to places located north such as the town centre or regional centres.

Engineering Development has advised that the existing road network is able to accommodate the proposed additional traffic and should not impact the functionality or safety of these roads.

Footpaths are proposed to be constructed on one side of the internal subdivision roads to connect to the existing footpath network on Limonite Road. Barktown Road is also proposed to have a 1.5m wide footpath on one side to extend along the full length of the subject site.

Concern: Loss of views

Officer Response:

VCAT case law generally applies the approach that there is no legal right to a view. In addition, loss of views is difficult to ascertain as the development of dwellings or other structures does not form part of this application.

Concern: Increase in crime

Officer Response:

The Latrobe Planning Scheme and *Planning & Environment Act 1987* do not require the prevalence of crime to be taken into consideration as part of this planning permit application.

Concern: Impact to the local environment due to tree loss

Officer Response:

A small patch of native grasses adjacent to the existing dam is proposed to be removed from the subject site. Council's Environment team has assessed the proposal and consented to the removal with permit conditions requiring native vegetation offsets to be obtained to compensate for the removal.

Concern: Loss of privacy

Building of 2 storey residences will overlook properties and reduce privacy.

Officer Response:

Future development on the lots will be subject to a building permit which will be required to take into consideration any loss of privacy to adjoining properties and mitigate it accordingly.

Concern: Overdevelopment of the site

Overdevelopment of the site to the detriment of rural landscape character. Design of subdivision of long narrow lots will not allow for space around buildings or planting of vegetation on a prominent hillside.

Officer Response:

The design of the subdivision is considered to have adequately addressed the rural character of the area. Each lot would be able to accommodate a dwelling and any associated outbuildings with building envelopes ensuring any structures would be set back from all boundaries. Each lot would have ample room for landscaping. It is noted that if the site was connected to reticulated sewer the lots could be 2,000 square metres which gives an indication that the current proposal with lots of 4,000 square metres or more is not an overdevelopment of the site.

Latrobe Planning Scheme - Planning Policy Assessment

Planning Policy Framework and Municipal Planning Strategy

The following clauses are appliable to this application:

- Clause 02.03-1 Settlement
- Clause 02.03-2 Environmental and Landscape Values
- Clause 02.03-3 Environmental Risks and Amenity
- Clause 02.03-4 Natural resource management
- Clause 02.03-5 Built environment and heritage
- Clause 02.03-6 Housing
- Clause 02.03-9 Infrastructure
- Clause 02.04 Strategic framework plans
- Clause 11.01-1S Settlement
- Clause 11.01-1R Settlement – Gippsland
- Clause 11.02-1S Supply of urban land
- Clause 12.01-1S Protection of biodiversity
- Clause 12.01-1L Protection of biodiversity
- Clause 12.01-2S Native vegetation management
- Clause 13.02-1S Bushfire planning
- Clause 13.04-1S Contaminated and potentially contaminated land
- Clause 15.01-1S Urban Design
- Clause 15.01-1L Urban Design
- Clause 15.01-3S Subdivision Design
- Clause 15.01-3L Subdivision Design
- Clause 15.01-4S Healthy neighbourhoods
- Clause 15.01-5S Neighbourhood Character
- Clause 15.01-5L Neighbourhood Character
- Clause 15.03-2S Aboriginal cultural heritage
- Clause 16.01-1S Housing supply
- Clause 16.01-1L Housing supply
- Clause 16.01-2S Housing affordability

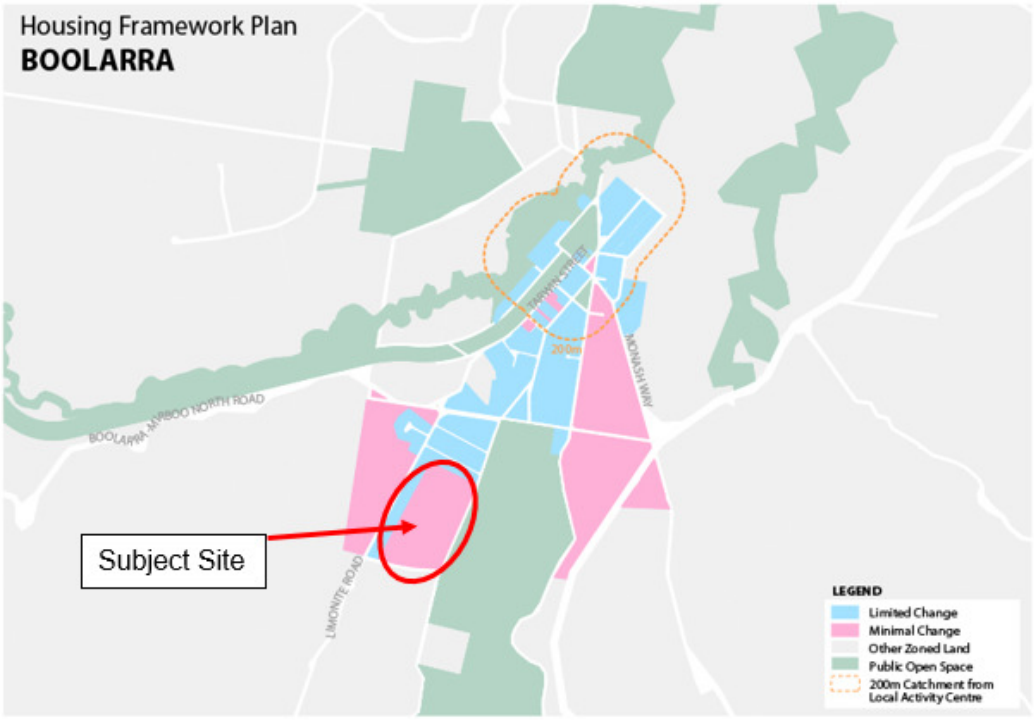
- Clause 18.01-1S Land use and transport integration
- Clause 18.02 Movement Networks
- Clause 19.02-6S Open space
- Clause 19.02-6S Open space
- Clause 19.03-2S Infrastructure design and provision
- Clause 19.03-2L Infrastructure design and provision
- Clause 19.03-3S Integrated water management
- Clause 19.03-3L Integrated water management

Boolarra is identified in the Scheme as one of Latrobe's small towns (along with Toongabbie and Traralgon South) that provides "*a limited range of educational, retail and recreational services for residents and the surrounding rural areas. Urban infill and diversification of housing choice in small towns make efficient use of existing infrastructure so residents can remain in the town whatever their housing need.*" (**Clause 02.03**). **Clause 16.01-1L** identifies the subject site as being in a 'minimal change' area on the Boolarra Housing Framework Plan – see extract below. The minimal change area has the following strategies in the Scheme:

Minimal change areas strategies

Support minimal change in the form of detached houses and dual occupancies in locations with distinct character attributes, such as heritage, neighbourhood character, environmental or amenity values or infrastructure limitations.

Encourage the retention and provision of vegetated areas including canopy trees and large garden spaces.



The proposed subdivision has been designed to address the spacious regional town character of Boolarra on a site that is constrained by bushfire and infrastructure issues. Given the constraints of the site, the proposal is considered to have provided a satisfactory permeable street network which will allow for the effective movement of pedestrians and vehicles throughout the subdivision and provide ease of access to all lots. This accords with **Clause 15.01** with regard to subdivision design and neighbourhood character.

The proposal satisfactorily addresses the environmental risks to the site through a site responsive design that appropriately deals with bushfire risk. It has also satisfactorily addressed the lack of reticulated sewer to the site through a design which will provide effluent envelopes. Permit conditions will ensure wastewater is disposed of appropriately.

The east and south of the site is located in the Bushfire Management Overlay. The proposed subdivision layout has responded to **Clause 13.02** as lots abutting the adjacent fire risk would be provided with building envelopes to allow for future dwellings to have a construction level of BAL-12.5. CFA has provided conditional consent to the proposal.

The three step approach to native vegetation removal has been applied to the proposal in accordance with **Clause 12.01-2S**. Vegetation removal is to take place along around the existing dam with the purchase of appropriate offsets to compensate for the loss.

Aboriginal cultural heritage has been taken into consideration in accordance with **Clause 15.03-2S**. A Cultural Heritage Management Plan (CHMP) approved under

the *Aboriginal Heritage Act 2006* was submitted with the application. The CHMP advised that no Aboriginal cultural heritage is registered in the activity area (site).

The objective of **Clause 13.04-1S** is "*to ensure that contaminated and potentially contaminated land is used and developed safely*". As the site has been used for agricultural purposes it must be assessed to ensure that it is suitable for the proposed sensitive use (residential development). A report submitted by the applicant titled '*Preliminary Site Investigation Young Street, Boolarra'* prepared by Outtask Environmental (June 2023) has been reviewed by Council officers and found that there is a very low risk of contamination that would impact the development. No further investigation into this matter is therefore required and the site is considered to be suitable for the proposal.

Overall, the proposal accords with the Planning Policy Framework and Municipal Planning Strategy. The subdivision of the land into residential allotments as proposed is considered to be consistent with the strategic vision for the site.

Clause 56 Objectives SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE
Property address: Young Street, BOOLARRA
Application Number: 2023/186

LDRZ Assessment - Clauses 56.07-1 to 56.07-4

Clause & Standard No.		OBJECTIVES	STANDARDS	COMMENTS
Clause 56.07		**INTEGRATED WATER MANAGEMENT**		
Clause 56.07-1 **C22**	Drinking Water supply objectives	To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.	The supply of drinking water must be: • Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority. • Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.	***Complies*** The application has been referred to Gippsland Water who has provided permit conditions to ensure the supply of drinking water to each lot.
Clause 56.07-2 **C23**	Reused and recycled water objective	To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.	Reused and recycled water supply systems must be: • Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Human Services. • Provided to the boundary of all lots in the subdivision where required by the relevant water authority.	***Not Applicable*** Reused and recycled water supply systems are not available to the site.
Clause 56.07-3 **C24**	Waste water management objective	To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.	Waste water systems must be: • Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority. • Consistent with any relevant approved	***Complies*** The application has been referred to Council's Health team who has provided permit conditions to ensure each lot is able to effectively manage waste water.

Clause 56 Objectives SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE
Property address: Young Street, BOOLARRA
Application Number: 2023/186

LDRZ Assessment - Clauses 56.07-1 to 56.07-4

			domestic waste water management plan. Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.	
Clause 56.07-4 **C25**	Urban run-off management objectives	To minimise damage to properties and inconvenience to residents from urban run-off. To ensure that the street operates adequately during major storm events and provides for public safety. To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.	The urban stormwater management system must be: • Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority. • Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed. • Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. • Designed to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts. The stormwater management system should be	***Complies*** The application has been referred to Council's Engineering Development team who has provided permit conditions to ensure that stormwater associated with the subdivision is managed appropriately to pre-development flows.

Clause 56 Objectives **SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE**
Property address: Young Street, BOOLARRA
Application Number: 2023/186

LDRZ Assessment - Clauses 56.07-1 to 56.07-4

			integrated with the overall development plan including the street and public open space networks and landscape design. For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard: • Stormwater flows should be contained within the drainage system to the requirements of the relevant authority. • Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall. For storm events greater than 20% AEP and up to and including 1% AEP standard: • Provision must be made for the safe and effective passage of stormwater flows. • All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority. • Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35$ m_2/s (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second). The design of the local drainage network should: • Ensure run-off is retarded to a standard required by the responsible drainage	

Clause 56 Objectives SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE
Property address: Young Street, BOOLARRA
Application Number: 2023/186

LDRZ Assessment - Clauses 56.07-1 to 56.07-4

			authority. • Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge. • Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner. • Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs. Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.	

Agenda Item:	**7.2**
Agenda Item:	**Planning Scheme Amendment C131 (Updated Flood Overlays) - Consideration of Submissions**
Sponsor:	**General Manager, Regional City Planning and Assets**

Proposed Resolution:

That Council:

1. **Having formally considered all written submissions received to Amendment C131 notes the issues raised by the submissions and the officer's response to those issues, as outlined in (Attachment 2);**
2. **Request the Minister for Planning appoint a planning panel to consider submissions received for Amendment C131, in accordance with Part 8 of the *Planning and Environment Act 1987;***
3. **Refer submissions to the planning panel appointed by the Minister for Planning;**
4. **Endorse the officer's response to the issues raised by submissions and the recommended changes to Amendment 131, as outlined in Attachments 2 and 3, as the basis for Council's submission to the planning panel; and**
5. **Advise those persons who made written submissions to Amendment C131 of Council's decision.**

EXECUTIVE SUMMARY

- Council previously considered Amendment C131- Flood Overlays Update (the Amendment) at the Council Meeting held on Monday, 1 August 2022. A peer review of the background and Amendment C131 documents was then undertaken to understand key issues raised in submissions and identify next steps on the progression of the Amendment.
- Council resolved to re-exhibit the Amendment at the 5 February 2024 Council Meeting. Re-exhibition of the Amendment was held between 29 February 2024 and 5 April 2024.
- During Re-exhibition a further 12 submissions were received resulting in 79 submissions across the two Exhibition periods. Of those, 21 remain outstanding.
- The same key issues were raised in both exhibition periods and relate to:
    - Concerns that the modelling is incorrect, and that the Overlay relates to stormwater flooding not riverine flooding;
    - Concerns that existing drainage infrastructure is insufficient
    - Impacts on future development;
    - Requests to remove or reduce the Land Subject to Inundation Overlay or Floodway Overlay from properties;
    - Previous flooding has not occurred on their property; and

- Effects on property values, rates and insurance premiums.

- Given that there are outstanding submissions, the next step to progress the Amendment is to request for the Minister for Planning to establish a Planning Panel to consider submissions and prepare a report.

BACKGROUND

Floodplains have a role in the storage and conveyance of floodwater. Flooding can have significant economic impacts on municipalities and the community because of loss of life, damage to public and private assets and property and agricultural losses.

The West Gippsland Catchment Management Authority (WGCMA) is the floodplain authority for the municipality. Under Sections 203 and 204 of the *Water Act 1989*, WGCMA can declare areas flood prone to the 1% Annual Exceedance Probability (AEP) flood event extent.

Councils have a statutory obligation to map flood prone areas in their municipality under section 148 of the *Building Regulations 2018*. The purpose of the Amendment is to meet Latrobe City Council's statutory obligation as outlined in the *Building Regulations 2018*.

The Amendment will also ensure that development maintains the free passage of flood waters, minimises the potential for flood damage, and is compatible with the flood hazard over land as identified by the WGCMA.

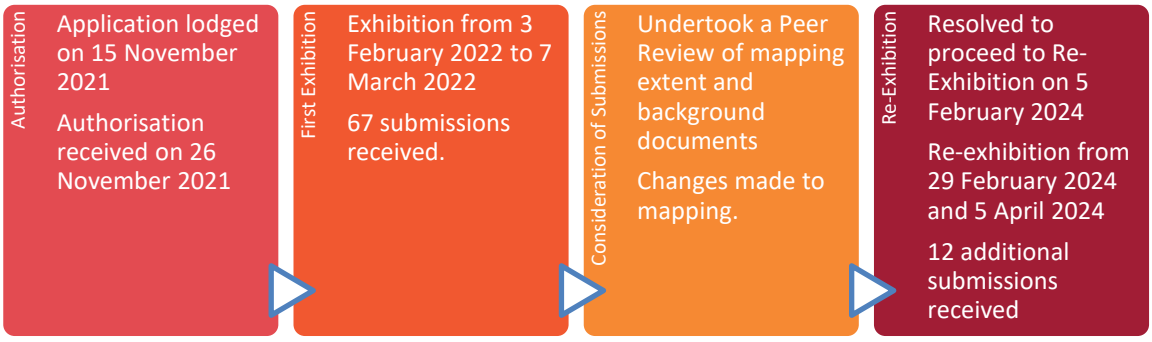
The Amendment will:

- Introduce the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) to a number of properties;
- Amend the extent of these Overlays in other locations to ensure that there is a permit trigger where there are flooding concerns.
- Delete the Overlays from several properties.

The Overlays will act as a permit trigger which will mean that the habitable floor level is built above the probable maximum flood levels. In this way, dwellings will remain safe in the event of a major flood event.

The Amendment has now been exhibited twice. An overview of the Amendment steps in provided in Figure 1 below:

Figure 1: Amendment Step to Date



Further information outlining all the Amendment stages to date can be found in Attachment 8.

In considering submissions for the first Exhibition, a peer review of all the background and Planning Scheme Amendment documents was identified as the most appropriate next step in progressing Amendment C131. The Peer Review was finalised in September 2023. It made a number of recommendations, most significantly:

- Remove areas in Traralgon that were identified as resulting from stormwater flooding not riverine flooding.
- Only exhibit areas that had a completed flood study. This resulted in areas of Moe, Hazelwood and Flynn being removed from the Amendment.
- Include the climate change scenario for the Latrobe River in the flood mapping.

At the 5 February 2024 Council Meeting, it was resolved to re-exhibit the Amendment.

Amendment C131 was placed on re-exhibition from 29 February 2024 to 5 April 2024.

Details regarding the exhibition process and outcomes are provided in the communication and consultation sections below.

A total of 79 submissions were received across both exhibition periods. The key issues raised in submissions are outlined in community implications below and in the Summary of Submissions table, see Attachment 2.

ANALYSIS

Public Submissions

Following both public exhibition periods, 79 written submissions were received by Council in response to Amendment C131 – 67 from the first Exhibition and 12 from the second Exhibition. Submissions received from both Exhibition periods are considered as a part of this Amendment process.

Of the 79 submissions, there are 22 outstanding objections which remain to Amendment C131, Section 22 of the *Planning and Environment Act 1987* (the Act) requires that Council consider all submissions to Amendment C131 received during the public exhibition process. Council may also consider late submissions.

A summary of the key issues and comments raised in submissions that have been received by Council in response to Amendment C131 is provided below.

Amendment C131 Submissions			
	First Exhibition	**Second Exhibition**	**Total**
Support	6	4	10
Withdrawn	22	0	22
Verbally withdrawn and Council has sent a letter confirming submission is resolved	4	0	4
Submissions considered resolved but no formal withdrawal has been received	16	6	22
Object	19	2	21
Total Submissions	67	12	79

First Exhibition (3 February 2022 – 7 March 2022)

Of the 67 submissions, there were 61 objections initially. However, there are currently 19 objections that remain outstanding following additional consultation. A breakdown of submissions includes:

- Six submissions supporting the Amendment;
- Nineteen submissions are currently objecting to the Amendment, requesting changes which are yet to be resolved.
    - Seven of the unresolved submissions are requesting changes that are outside the scope of the Amendment which means that they cannot be resolved through the Amendment.
- Twenty-two submissions that have been formally withdrawn;
- Four submissions have been verbally withdrawn and council officers have confirmed in writing that the intent is to withdraw the submission, however, no formal letter of withdrawal has been received; and
- A further sixteen submissions which are considered resolved as the proposed Overlays have been removed from these properties and they are not affected in the updated Amendment mapping, however, no formal withdrawal has been received.

Re-Exhibition (29 February 2024 – 5 April 2024)

A total of 12 submissions were received to Amendment C131. Four submissions are supporting, while the other eight submissions request changes.

Six objections have been resolved while the other two objecting submissions remain outstanding.

An additional submission was received from a previous submitter from the first Exhibition, Submission 11C.Details can be found in Attachments 1 and 2.

The themes that were raised in all the submissions from both exhibition periods are summarised below:

- Support the Amendment;
- Concerns that the modelling is incorrect, and that the Overlay relates to stormwater flooding not riverine flooding;
- Concerns that existing drainage infrastructure is insufficient and requests to upgrades or maintenance of infrastructure to withstand 1% Annual Exceedance Probability (AEP) flood events;
- Impacts on future development;
- New development is creating the flood impacts;
- Local topography would not allow flooding on property;
- Requests to remove the Land Subject to Inundation Overlay (LSIO) or Floodway Overlay (FO) from properties that are currently affected by Flood Overlays;
- Requests to review flood modelling to consider recent development;
- Previous flooding has not occurred on their property;
- Overlays should be reduced on property;
- Belief that the Overlay on property should not be included as the background document was not included in the Peer Review; and
- Effects on property values, rates and insurance premiums.

It is important to note that the issues raised in the Re-Exhibition of the Amendment are generally the same as the issues raised in the first Exhibition. A detailed response to all submissions is provided at Attachment 2.

Having considered the submissions received for Amendment C131, council officers consider that across both exhibition periods, 21 submissions cannot be resolved through changes to the Amendment C131, and therefore recommends Council request the Minister for Planning to appoint a Planning Panel to consider submissions. All submissions, including submissions supporting Amendment C131 and submissions which officers consider to be resolved through the Consideration of Submissions, will be referred to the Planning Panel.

Post-Exhibition Changes

During the Exhibition Period, the WGCMA have conducted site surveys at several sites in Glengarry and Traralgon in response to submissions.

In addition, an application to the Federal Government's Disaster Ready Fund was successful for co-contributions to the Glengarry Flood Mitigation Works – Stage 1. Initial modelling for the project has been completed.

The modelling from that project was supplied to WGCMA. As a result, several properties along Carey Drive, Moorhouse Close, Hambrook Lane and King Road in Glengarry have been removed from the proposed Overlays or have a reduction in the proposed Overlays on the properties.

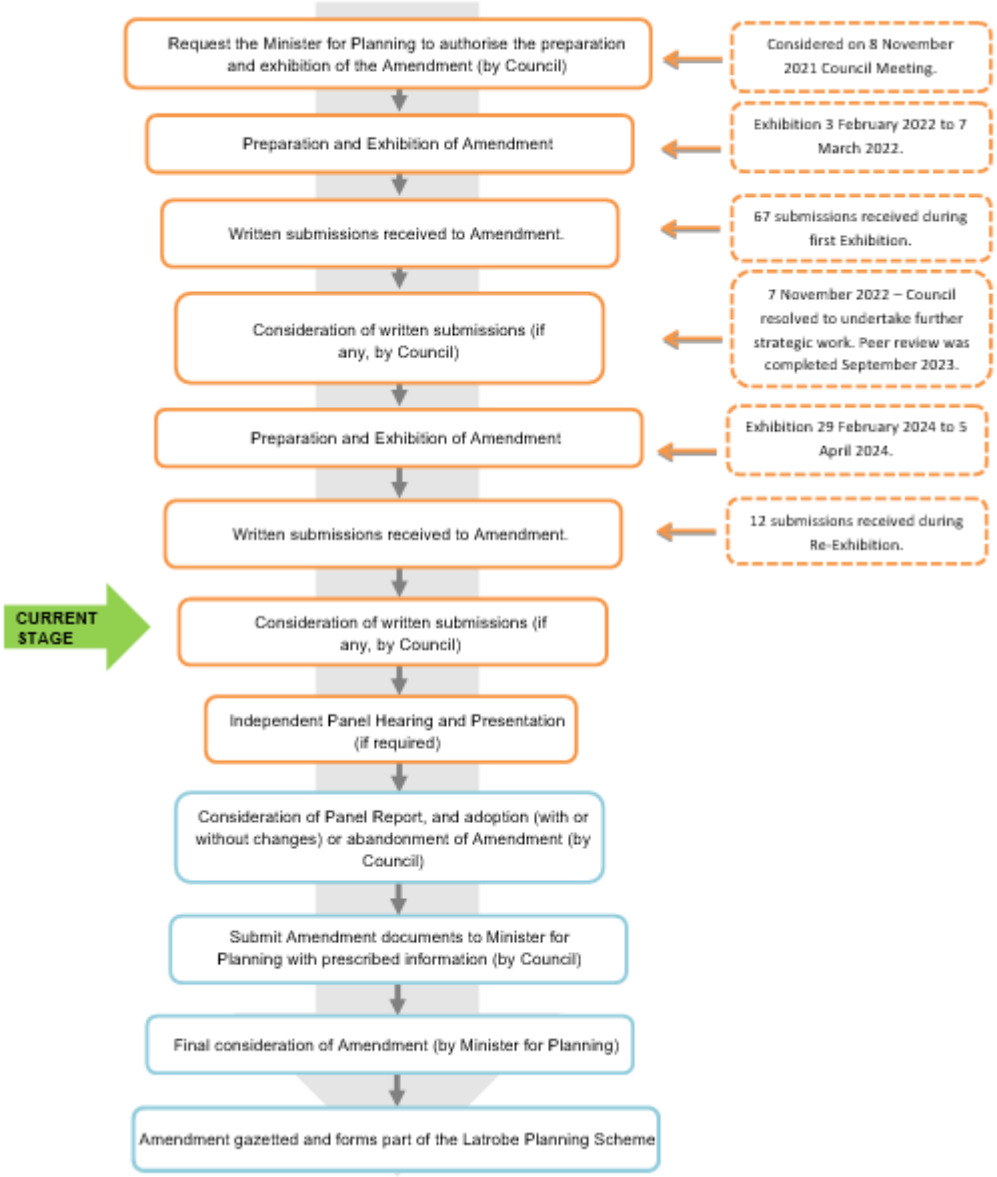
Several sites in Traralgon have had the Overlays removed from the properties after further investigation or amended as well as outlined in the Post Exhibition Changes table (Attachment 3).

These changes have resulted in a further 15 submissions being resolved. As such, it is likely that 21 submissions will remain outstanding.

Legal And Compliance

The planning scheme amendment process is shown in Figure 2 below, which identifies the current stage Amendment C131 is at in the process.

Figure 2 – Amendment C131 Planning Scheme Amendment Process



Council, as a planning authority, has a number of duties and powers, which are listed at Section 12 of the Act. Under Section 12(2) Council must have regard to:

- The Minister's directions;
- The Victoria Planning Provisions;
- Any strategic plan, policy statement, code or guideline which forms part of the Latrobe Planning Scheme;

- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged in Amendment C131.
- Any social and economic effects.

Section 22 of the Act requires that Council consider all submissions received to Amendment C131 during the public exhibition process. This includes all 79 from both exhibition periods. Council may consider late submissions. Once Council has considered the submissions, section 23 requires Council to:

- change Amendment C131 in the manner requested;
- refer the submissions to a planning panel appointed under Part 8 of the Act; or
- abandon Amendment C131 or part of Amendment C131.

The recommendation is to refer the submissions to a planning panel to ensure that a third-party independent panel can consider the submissions.

The recommendations of this Council Report are in accordance with Sections 23 of the Act.

RISK ANALYSIS

RISK	RISK RATING	TREATMENT
COMPLIANCE Landowners whose land was not previously identified in the flood mapping may challenge the proposed Amendment	**Medium** *Almost certain x Insignificant*	Progress to a Planning Panel so that an independent third party can hear the submissions and provide recommendations.
COMPLIANCE Not meeting the statutory requirements of the *Building Regulations 2018*, *Local Government Act 2020*, *Climate Change Act 2017*, and *Planning and Environment Act 1987*.	**High** *Likely x Almost Certain*	Council proceeds with a Planning Panel to progress the Planning Scheme Amendment.

RISK	RISK RATING	TREATMENT
COMPLIANCE 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.	**Medium** *Possible x Moderate*	Planning Permits in these areas to be referred to the Strategic Planning Team for comment, as the Amendment is seriously entertained under section 60 of the Planning and Environment Act 1987 and must be considered in a permit assessment.
STRATEGIC Negative perception of Council as not all documents were included for exhibition in the first exhibition. In addition, some properties were mapped, due to stormwater drainage issues, within the proposed Overlays, rather than riverine flooding.	**Medium** *Possible x Moderate*	Ensure flood studies are accurate and Overlays are only applied to land where the criteria are met to be incorporated into the LSIO or FO. Remove properties that are associated with stormwater until appropriate studies have been carried out.
STRATEGIC Submitters becoming frustrated with the process because of the time taken.	**Low** *Minor x Unlikely*	Provide updates to submitters as required. Notify submitters of the Council Meetings to keep them informed of the progress of the Amendment.
STRATEGIC Submitters being aware of some submissions being resolved and not others.	**Medium** *Possible x Moderate*	Retain proposed overlays on properties where modelling clearly justifies that the land is subject to inundation or flooding and meets the criteria for riverine flooding. These criteria are specified within *Planning Practice Note 12 (PPN12) – Applying the Flood Provisions in Planning Schemes.*

RISK	RISK RATING	TREATMENT
STRATEGIC Negative perception of Council as Council is only now updating flood mapping in the Latrobe Planning Scheme due to the age of some of the documents.	**Medium** *Likely x Minor*	Progress the Planning Scheme Amendment and ensure that timeframes are communicated to stakeholders. The amendment started in 2021/2022 which was in line with the Floodplain Management Strategy (WGCMA)
STRATEGIC Potential impact on strategic planning and future designation of growth areas due to new areas being identified as vulnerable to flood.	**Low** *Possible x Insignificant*	Retain proposed Overlays on properties where modelling clearly justifies that the land is subject to inundation or flooding due to riverine flooding.
STRATEGIC Council does not proceed with the Amendment after subjecting the community to two years of consultation.	**Medium** *Likely x Minor*	Council proceed to the next step in the Amendment process. Notify submitters of the next steps.

CONSULTATION

Amendment C131 was subject to the prescribed processes in accordance with the public notices and consultation requirements of section 19 of the Act.

As part of the Re-exhibition of Amendment C131 the following activities were undertaken:

- Amendment C131 documents were placed on Latrobe City Council's website;
- Have Your Say page was created;
- 1023 notification letters were sent to affected owner and occupiers. In addition, letters were sent to the 69 letters to submitters from the first Exhibition and other interested parties;
- 29 notification letters or emails were sent to agencies, public authorities and Ministers believed to be materially affected by Amendment C131 or prescribed under the Act;

- Notices placed in the Latrobe Valley Express on 28 February 2024 and 13 March 2024;
- Notice placed in the Government Gazette on 29 February 2024;
- Multiple social media posts on Facebook;
- Six drop-in sessions were held in Glengarry, Traralgon, Moe and Morwell on the 6, 7, 13, 14, 19 and 20 March 2024 and 24 one-on-one sessions were held Twenty-two 1:1 sessions with outstanding submitters from the first Exhibition were held between November 2023 and January 2024 and two during the second Exhibition with interested parties; and
- Information placed at service centre and libraries in Morwell, Moe, Traralgon and Churchill.

As a result of both exhibition processes, Council:

- Twenty-four 1:1 sessions were held for the Re-exhibition of the Amendment while five virtual 1:1 sessions were offered during the first Exhibition;
- Received 160 landowner/stakeholder telephone enquiries – 147 from the first Exhibition and 13 from the second Exhibition; and
- Received 6228 hits on have your say and Amendment 131 website pages – 4505 from the first Exhibition, 1723 from the Re-exhibition.

COMMUNICATION

A detailed community consultation plan was developed, as detailed above. Submitters will be notified of the next steps of the amendment.

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 1989*.

APPENDIX 1 IMPACT ASSESSMENT

Social

As detailed in the supporting information section of this report, a total of 79 submissions were received to the Amendment. As all changes requested in the submissions were not able to be made, 21 submissions will continue as unresolved outstanding submissions.

Cultural

Not applicable.

Health

The proposed Amendment seeks to prioritise and protect human life in the event of a flood.

Environmental

The provision of updated flooding information within the Latrobe 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. 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.

Climate Change Considerations

Under the *Local Government Act 2020* Section 9(2)(c), Councils are required to promote "*the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks*."

This Clauses mean that processes like strategic planning must incorporate consideration of climate change.

Economic

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.

Having an FO on property does not necessarily change the value of the property. Previous Planning Panels appointed by the Minister for Planning have found that the application of Overlays does not have any significant or lasting effect on land values.

Insurance premiums are based on the most up-to-date available flood studies rather than Planning Scheme controls. The insurance industry has its own National Flood database where this information is kept.

Financial

The Planning Scheme Amendment will be undertaken with the Strategic Planning BAU budget for the 2024/2025 financial year. If the Amendment progresses to a planning panel this will include an estimate of $35,000 plus an additional $5000 for expert witnesses.

- There are insufficient funds to cover the Planning Scheme Amendment Planning Panel in the Strategic Planning budget for the 2024/2025 financial year.
- There is an opportunity for Council to apply for funding to cover the cost of the Planning Panel through the Flood-related Amendments Assistance Program (the program) run by the Department of Transport and Planning. The program is for regional councils to apply for funding and assistance to help them implement their flood studies into planning scheme controls. A resolution to proceed to a Planning Panel is required before an application for funding can be made.

The Planning Scheme Approval fee is increased annually but will be approximately $516.80.

Attachments

1. Copy of Submissions
2. Summary of Submissions Table
3. Post-Exhibition Changes Table
4. Explanatory Report
5. Instruction Sheet
6. Combined Policy for Amendment C131
7. Combined Maps for Amendment C131
8. Background for Amendment C131

7.2

Planning Scheme Amendment C131 (Updated Flood Overlays) - Consideration of Submissions

1 Copy of Submissions 109
2 Summary of Submissions Table 396
3 Post-Exhibition Changes Table 463
4 Explanatory Report 470
5 Instruction Sheet 489
6 Combined Policy for Amendment C131 491
7 Combined Maps for Amendment C131 508
8 Background for Amendment C131 589

Submission 1

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Department of Transport

120 Kay Street
Traralgon, VIC 3844 Australia
Telephone: [redacted]
www.transport.vic.gov.au
DX 219286

Ref: DOC/22/14917

Latrobe City Council
Attention: Strategic Planning Department
PO Box 264
MORWELL VIC 3840

To the Strategic Planning Department

LATROBE PSA C131 – FLOOD MAPPING UPDATE

This letter is in response to the exhibition of Latrobe Planning Scheme Amendment C131 which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

The Department of Transport has no objection to the proposed amendment.

Yours sincerely

[redacted]
Manager Transport Integration | Gippsland

07 / 02 / 2022

VICTORIA State Government

Submission 2

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Hello [redacted]

SGSC has no objection to the amendment. Thanks for letting us know.

Regards

[redacted]
Strategic Planning Coordinator

South Gippsland Shire Council | 9 Smith Street (Private Bag 4) Leongatha VIC 3953
P: [redacted] | **M:** [redacted] | website | facebook

Submission 3

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Submitted on Wed, 2022-02-16 15:31

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is
I believe that the flooding in my area is due to lack of on going maintenance to the storm water pipes through out the Glengarry area.
With this in mind and after much work to clear this problem (clean and removal of tree roots etc.) I believe that this area should not be on this Amendment C131. I strongly feel this is a councils quick way of not taking responsibility for the storm water issues in this area .
Thank you
[redacted]

Submission 4A

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Attention: Strategic Planning
Latrobe City Council

RE: Amendment C131 (FLOOD OVERLAYS)

We strongly object to the placement of any type of Flood Overlay over the property [redacted] as shown on the proposed Planning Scheme Map insert 67LSIO-FO.

The information provided to the Public shows no impact to our property under the information detailed in the Latrobe Flood Study (2015) and the Traralgon Flood Study (2016) in either the 100 year or 200 year flood maps.

We have had discussions with the West Gippsland Water Catchment Authority and have been provided Modelling Maps. These Maps are modelling only with significant flaws in the data shown.

The Amendment not only places new overlays, it also removes old overlays as detailed.

No physical evidence has been provided to justify the proposed decision by the Latrobe City Strategic Planning Group.

Latrobe Shire had failed to provide all relevant data to the public for viewing in regards to the proposed Amendment as per the e-mail sent by our son [redacted] to [redacted] on the 8/2/2022.

In fact the Latrobe City Offices would be approximately 90 metres under water if the Latrobe or Moe Rivers were to flood the lowest point of our property!

We strongly believe any water flow issues associated with the tributaries that run trough the Moe Residential area via our Primary Production property of 60 years are due to lack of Maintenance and Planning by the Latrobe City since the area has been developed for Residential Housing.

We request a response in writing from the Latrobe City Strategic Planning Group by the 7th March stating that the proposed LSIO will be removed from the property.

If the Latrobe City does not withdraw its proposal as requested we will unfortunately be left with no other option but too have the matter resolved by others on our behalf.

Kind Regards

[redacted]

Submission 4B

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From: [redacted]
Subject: FW: FW: [redacted]
Date: Tuesday, 16 August 2022 11:52:54 AM

From: [redacted]
Sent: Monday, 15 August 2022 8:47 AM
To: [redacted]
Cc: [redacted]
Subject: RE: FW: [redacted]

Hi [redacted],

Thank you for your email.

[redacted] the project manager for Amendment C131 is back on board at Council and she will therefore handle any enquiries you have from here.

Kind regards

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

LatrobeCity
a new energy

Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

---

From: [redacted]
Sent: Monday, 15 August 2022 8:10 AM
To: [redacted]
Subject: Re: FW: [redacted]

Hi [redacted]

Sorry for the late reply but also thankyou for the information from the WGCMA.

I totally dispute their information it is all modelling and to guess where the actual tributaries flow using this modeling and satellite footage to impose such planning restrictions is disgusting.

They have sort no real physical data nor have they consulted the land owner about the flows of water over the property.

Water flows on this property are not impeded in anyway until the water hits the [redacted].

Water does not pool on this property due to the significant difference in RL levels across the property.

This is the area at which all Tributary flows though our property exit to the North.

For over 6 months I have been trying to get the Latrobe Shire to complete significant drainage works in this easement area.

I have shown an Engineer the issue and two drainage works supervisors in that time and they did not even know it existed
nor was it on the Shires routine works list (It will now be added as indicated by the Latrobe Shire Engineer).

I have been at this property for 7 years now and know nothing has been done at all in this area until the last few weeks.

Three pipes have been cleaned out, two of which were so overgrown they couldn't be seen. No overgrown vegetation has been removed.

The lack of maintenance on this easement is creating damming at the boundary fence line as the water can not travel through
this area efficiently during high rainfall events.

So once again the WGCMA assessment is incorrect failure to adequately manage drainage areas is a factor.

A Major Gas Pipeline asset is at risk that runs along the affected fence line due to the pooling of water stopped at the fence line.

We have notified the Asset owner of this situation.

Inadequate drainage systems and overgrown vegetation in the Easement area need to be rectified immediately to allow adequate water flows and
prevent possible damage to property and Major Assets.

I as the Manager of my parents property this has been an extremely frustrating, time consuming and stressful process in attempting to resolve this issue.

Kind Regards

[redacted]

------ Original Message ------
From: [redacted]
[redacted] Monday, 27 Jun, 2022 At 2:23 PM
Subject: FW: [redacted]

Hi [redacted]

As promised, I asked the WGCMA to review the submission and the site. Please see their response below.

Kind regards

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

[redacted]

Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [redacted]
Sent: Thursday, 23 June 2022 9:27 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

OFFICIAL

Hi [redacted]

Please see below response to [redacted] submission including a summary of the flood modelling.

The Traralgon Flood Study and Latrobe Flood Study focused on Traralgon and The Latrobe River Floodplain respectively. The subject property was not included in this modelling which is why they don't show mapping for this property. Although they are the two key studies underpinning the amendment, they are not the source for all flood extents included in the Amendment. Mapping produced from other flood modelling was also included.

The mapping for this property was produced from flood modelling undertaken by the WGCMA.

The way this property experiences flooding during periods of high rainfall is the rain sheets-off the hills located on the property and adjoining catchment at shallow depths and then collects in the overland flow paths within the properties, then flows downstream, and further north until it reaches the Latrobe River. The model is not suggesting that the entirety of Moe would be flooded during a 1% AEP flood event just because it is all lower than the lowest point on the property.

The results produced by the model for this property and the associated proposed LSIO would not be impacted by drainage maintenance issues or the nearby residential development.

The WGCMA has conducted a review of the modelling and tributary location for the property. The location of the tributaries and the LSIO extent is in-line with the land elevation data and the aerial imagery data available to us.

Please let me know if you require anything further from us.

Thanks

[redacted]
Senior Planning Officer - West Gippsland Catchment Management Authority

PO Box 1374 Traralgon VIC 3844
[redacted]
www.wgcma.vic.gov.au Stay informed, sign up to our mailing list.

West Gippsland Catchment Management Authority, 16 Hotham Street Traralgon and Corner Young & Bair Streets Leongatha | PO Box 1374 Traralgon 3844 | 1300 094 262 for standard call cost | westgippy@wgcma.vic.gov.au | www.wgcma.vic.gov.au

From: [redacted]
Sent: Monday, 20 June 2022 2:42 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

Hi [redacted]

I've just had [redacted] on the phone enquiring about his father's property (see submission attached).

He is concerned that the location of tributaries and the modelling is incorrect. Can you please confirm whether this is the case or not for the site?

[redacted] said he had spoken to [redacted] in the past, but I wasn't a party to the discussions.

Cheers

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

****
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Latrobe City Council
P.O. Box 264
Morwell 3840 Victoria Australia

www.latrobe.vic.gov.au

From: [redacted]
To:
Subject: AMENDMENT C131 – WRITTEN SUBMISSION Somerville
Date: Saturday, 25 November 2023 8:43:49 PM

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Re: [redacted]

To whom it concerns,

We withdraw our Objection to Amendment C131 sent on 20th February 2022.

On the condition that the proposed Flood overlays over the above property have been removed permanently.

[redacted]

[redacted]

Submission 5a

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[redacted]

Just wanting to chase up some information following Monday's zoom meeting with [redacted] and ourselves relating to stormwater. [redacted] indicated that [redacted] inundation issue was not flood/inundation from the Traralgon Creek but related to stormwater and runoffs during certain weather events. It is my understanding Latrobe City Council (LCC) is responsible for the stormwater and runoff infrastructure so can you please provide answers to the following.

1. Does LCC [redacted] as having any issues with stormwater or runoff? Whether relating to insufficient infrastructure, the amount of water involved or time the inundation issue takes to dissipate?
2. Does LCC have any reports or photographs taken of [redacted] during times of inundation issue occurring? If so, can I please request copies?
3. What level of due diligence did LCC apply to Water Technologies reports to which Amendment C131 is based that its findings on flash flooding or stormwater inundation is correct?
4. With the issue having been identified what actions or plans have LCC undertaken to mitigate or eliminate these since [redacted] development completion (approx. 2005), and Amendment C131 report R05 was published in 2016?
5. Can you please supply details of contour line reference close to our property [redacted] that can be used for height measurement reference?

As I cannot work on my submission to Amendment C131 full time and having other commitments, is it possible to request LCC for an extension to submission deadline, noting LCC has had almost 6 years to prepare amendment?

I would greatly appreciate your prompt feedback to these questions and requests. Thanks again for your assistance.

Regards

[redacted]

[redacted]

[redacted]

Submission 5b

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[redacted]

With regard to Amendment C131, I believe the suggestion by Latrobe City Council (LCC) [redacted] or any property therein has ever been or is susceptible to impact by flood or inundation (as defined in amendment documents) from Traralgon Creek is incorrect. Amendment C131 Map No 49LSIO-FO shows the proposed overlay for [redacted] as separated from the Traralgon Creek floodplain. [redacted] is also located well above the height of the creek with many properties lower in elevation and closer to the creek not subjected to overlays.

During our meeting with Ben Proctor on the 14th of February, I asked how flood and inundation could possibly occur at [redacted] considering this separation and lack of flow path. Ben, indicated that [redacted] issue was not flood or inundation related, but issues due to stormwater and movement of that water. LCC's Amendment C131 is based entirely on the computer generated "best guess" modelling of the "Traralgon Flood Study - Summary Report" regarding flooding and inundation specifically from Traralgon Creek. The report's findings and recommendations do not reference or consider stormwater, flash flooding, or their resulting overland flows in the Traralgon urban area. Refer Flood Report, section 3.3 page 17, also in the LatrobePlanning Scheme Amendment C131 Explanatory Report, and the West Gippsland Floodplain Management Strategy 2018-2027. In 17 years of living at [redacted] we have never witnessed or been impacted by stormwater or any resulting movement of that water. Stormwater infrastructure in [redacted] has proven to be capable and appropriate in evacuating stormwater, including during recent severe record rain events of 2021. The Traralgon Creek Flood Study Report overlay recommendations are based on computer modelling of a 1% AEP flooding event of the Traralgon Creek. Stormwater was not considered in the report and its modelling. From the report "flash flooding as a result of stormwater issues that were not covered within the scope of this project."

My concern extends to the validity of all amendments arising to overlays, particularly within Traralgon, related to stormwater, as the scope of Traralgon Flood Study did not extend to stormwater issues.

The Traralgon Flood Study report does not support the application of Amendment C131 to overlay a LSIO on the identified areas of [redacted]. My research and discussions with both the LCC & WGCMA representatives have not resulted in either party providing additional evidence to support the application of the amendment to [redacted]. Therefore, the application of Amendment C131 to Jazmine Court should be removed.

I am yet to receive a reply to my email dated 16th February, regarding the stormwater issues that WGCMA &LCC believe impact [redacted]. While there is no evidence stormwater issues exist I would still be interested in LCC's response to my questions.

I look forward to your prompt reply to the information raised and presented in this email and would again request more time be offered for submissions to Amendment C131.

Regards

[redacted]

[redacted]

Submission 5c

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[redacted]

Latrobe City Council
Attention: Strategic Planning Department
PO Box 264, Morwell VIC 3840

Submission to proposed Amendment C131 – Flood Overlays

My name is [redacted] own the property at [redacted]. We have owned this property since 2005 (17 years) and building a home that was completed early 2006. I have lived in or around Traralgon my entire life and very aware of the fact Traralgon Creek floods and the impacts these events have in some areas of Traralgon. When purchasing the property, it was important for us that the property would never become impacted by flood or inundation caused by flooding of the Traralgon Creek. We also considered the fact that our property was located on the western side of Traralgon Creek, considered the "higher side" with no urban residential area flood impact. Our property is also located a reasonable distance from Traralgon Creek. At [redacted] we have invested heavily in our home on these facts.

Latrobe City Council (LCC) now proposes to amend the planning scheme and apply a 'Land Subject to Inundation Overlay' (LSIO) on several properties in [redacted] area including ours (Amendment C131latr MAP No 49LSIO-FO). The suggestion by LCC that [redacted] or any property therein is susceptible to impact by flood or inundation (as defined in amendment documents) from Traralgon Creek is completely wrong and based on inaccurate modelling. From this submission I wish to object to Amendment C131 (C131) and its overlays on the grounds of inaccurate modelling, incorrect application of LSIO to area, and LCC's incorrect design flood extents determination. LCC's Amendment C131 overlays are inconsistent, erroneous and not representative of fact or evidence. It is because of this C131 overlay should be removed from our property and that of the [redacted] area.

This submission will have 2 parts and only consider the [redacted], Traralgon area. Part 1 will be objecting to Amendment C131 based on information received from LCC and West Gippsland Catchment Management Authority's (WGCMA) representatives that issue in our area is stormwater related. Part 2 will be objecting to Amendment C131, based on LCC's view that [redacted] is impacted by flood and inundation from Traralgon Creek.

Part 1 – Stormwater?

1.1/ During a meeting with [redacted] on 14th February, I asked how flood and inundation could possibly occur at [redacted] considering a separation of flow path from Traralgon Creek and area is outside floodplain. It was indicated that [redacted] issue was not flood or inundation from Traralgon Creek, but issues with stormwater. LCC's C131 is based entirely on the computer generated "best guess" modelling of Water Technology's Traralgon Flood Study - Summary Report 2016 (referred to as 'Study' in this submission) regarding flood and inundation specifically from Traralgon Creek. Study's findings and recommendations do not reference or consider stormwater, flash flooding, or their resultant overland flows in the Traralgon urban area. Refer Study, section 3.3 page 17, also Latrobe Planning Scheme Amendment C131 Explanatory Report (Explanatory Report) (LCC, 2022) and West Gippsland Floodplain Management Strategy 2018-2027 (WGCMA, 2017). In the 17 years we have lived at [redacted] we have never witnessed or been impacted by stormwater or any resulting movement of that water. Stormwater infrastructure in [redacted]t has proven to be capable and appropriate in evacuating stormwater, including during recent severe record rain events of 2021. The Traralgon Creek Flood Study draft overlay extents are based on computer modelling of a 1% AEP flood event of the Traralgon Creek, not stormwater. Urban catchment water was referenced in Study but did not cover impacts caused by urban stormwater. "Flash flooding as a result of stormwater issues that were not covered within the scope of this project", (Study Final report, 2016). Only supporting information LCC has provided supporting C131 is a Study based on flood of Traralgon Creek. Therefore, if issue is stormwater and not flood, C131 overlays cannot apply. LCC has provided no information of how or why stormwater has resulted in justifying Amendment C131 overlays.

1.2/ If [redacted] issue were stormwater related, the "Land Subject to Inundation Overlay" (LSIO) for which LCC wants to apply to our property and general [redacted] cannot apply. This area does not fit within the definition and requirements of a LSIO. LSIO "represents the fringe of the floodplain" (LCC, 2022) and [redacted] is neither within nor on the fringe of Traralgon Creek floodplain.

1.3/ Development of [redacted] was part of a very recent land development. As such stormwater system was designed according to latest standards and guides. If there was an issue with stormwater in area, I'm sure it would have been reported. I sought further information from LCC about stormwater issues around [redacted] but never received a response. I was disappointed at LCC's unwillingness to provide supportive information. LCC failed to provide any information validating their claims that the [redacted] area has stormwater issues.

1.4/ During the consultation process for the Study, "there were several responses from community members, however the main issues were associated with flash flooding as a result of stormwater" (Study Final Report, 2016). There is no reference or documentation of these community responses. What evidence does LCC have that there is an issue with stormwater in [redacted] area?

1.5/ Why does Amendment C131 not apply LSIO's to known areas of Traralgon regularly impacted by stormwater? Properties in Grammar Drive and Crestmont Court are regularly impacted by stormwater during heavy rainfall events to the extent occupants are having to relocate while repairs are made. October 14, 2021 was latest event to impact these areas. Following photograph of [redacted] shows stormwater flooding from this event. Why will [redacted] not have LSIO applied, despite evidence an issue exists? Is this because [redacted] is not within Traralgon Creek catchment area? [redacted] no issues or evidence of impact from stormwater but will have LSIO applied. LCC's Amendment C131 overlays appear arbitrary, inconsistent, and discriminatory in their application.

[redacted]

My concern extends to the validity of all Amendment C131 overlays, particularly within Traralgon, related to stormwater, as the scope of Traralgon Flood Study did not include stormwater issues. The Traralgon Flood Study then does not support the application of Amendment C131 overlays on areas around [redacted]. Definitions of FO & LSIO do not support their use outside of mainstream flood areas. Amendment C131 overlays are being applied incorrectly and inconsistently. My research and discussions with both the LCC & WGCMA representatives have not resulted in either party providing additional evidence to support the application of the amendment to the [redacted] area. Therefore, Amendment C131 application of a LSIO to our property and [redacted] area must be removed.

Part 2 – Flood?

2.1/ With the Study using a 1% AEP flood model, a revised draft FO & LSIO extents (Figure 5-1) was prepared for LCC. Areas in and around [redacted] subjected to LCC's proposed overlays are not within Study's draft FO & LSIO extents. Why do LCC's C131 FO & LSIO extents not reflect Study's FO & LSIO extents? LCC is again not forthcoming in providing any information to justify or explain this difference. What is LCC's FO & LSIO extents based on, and why the decision not to use draft FO & LSIO extents recommendations of Study?

2.2/ I have genuine concern with Traralgon Flood Study – Summary Report and the due process taken in its approval and sign off. I fail to understand why a study using extensive assumptions in its modelling, and "considerable engineering judgement" (Study Final Report, 2016) to generate recommendations that were not subjected to peer or stakeholder review. An employee of Water Technology, the company commissioned to produce Study, is same person who authored, reviewed, and approved the Study's reports. Not only the final revision, but all previous revisions. I cannot ever recall having seen this in my career on a study this complex. This appears to illustrate a lack of transparency and due diligence towards ensuring discussion and accuracy of the information presented in Study.

2.3/ Traralgon Flood Study – Summary Report 2016 underpinning LCC's Amendment C131 flood and inundation overlays has not received proper community consultation. Final community meeting regarding Study was held on the 29th of September 2015 with Final Report issued 27th May 2016. That's 6 ½ years since last community consultation. We, like many owners in area did not participate in 2014 flood study project because our properties are outside of the mainstream floodplain with no risk of impact from flood. There was no reason for us to participate in this project. Owners of effected property were never given opportunity to provide feedback to Study's Final Report modelling and assertions, as to their accuracy. LCC's Amendment C131 has not been implemented in a timely manner by any standard. If there has been any consultation or progress during this 6+ year hiatus, LCC has provided no information supporting this.

2.4/ In 2015 four Traralgon Creek flood mitigation options were presented to LCC recommending further consideration. What further consideration has LCC conducted on these options? Has LCC implemented any of these in the past 7 years? If any flood mitigation measures have been implemented during this time, modelling used in Study may no longer apply. Further information LCC has not been forthcoming in providing to justify Amendment C131.

2.5/ Traralgon Flood Study – Summary Report states that historical flood information from the "general public (including photos and anecdotal evidence) was also collated" (Study Final Report, 2016). I was unable to find information of this type on LCC's Amendment C131 webpage or exhibition documents at LCC's Traralgon service centre. There is no documented evidence relating to flood impact in [redacted] I searched hundreds of sites online for any evidence of flood impact in or around [redacted]. I found none. No photos, video, or reports of flood in [redacted] I did find photos however showing [redacted] completely unaffected by

flood or inundation during past flood events including photo in item 2.9 of this submission.

2.6/ Traralgon Flood Study – Summary Report Table 4-5 lists the various flood class events, and resultant consequences. [redacted] and other streets in immediate area are not mentioned as being impacted by any flood class event up to a 0.5% AEP event. This is despite C131 MAP No 49LSIO-FO showing impacted areas surrounding [redacted] as quite significant. Is the consequence of [redacted] inundation not mentioned in Study because it does not flood in this area? Information provided by LCC is inconsistent.

2.7/ Elevation above sea level of [redacted] and surrounds is such that it will not be impacted by mainstream flood or inundation from Traralgon Creek during a 1% AEP design flood event. Survey marks in area reveal [redacted] AHD elevation at between 37 & 39m. LCC therefore believes that when [redacted] is inundated with up to 250mm of flood water, properties on [redacted] (AHD 35m) are 2-4m underwater. Properties on [redacted] (AHD 32m) are under 5-7m of flood water. Properties at these addresses will not have a FO or LSIO applied under Amendment C131. LCC's acceptance that [redacted] is impacted by mainstream flooding is frustratingly inconsistent with these facts.

2.8/ There are numerous examples where C131 overlays will either not apply or are reduced in size, in areas well known to be impacted by flood and inundation. An example of this inconsistency and double standard is shown in following photograph. This property (highlighted in map below) will have a proposed FO & LSIO applying to a fraction of its property area. Further, these highlighted properties will have had area of FO & LSIO significantly reduced from current overlays. Photo was taken from north-east corner of the property during the June 2021 flood event. How can [redacted] area with no history of flood or inundation have large FO & LSIO areas applied, while properties with a regular history of flood inundation are having overlay areas reduced or removed? LCC's proposed C131 LSIO applying to [redacted] area is inconsistent, arbitrary, and discriminatory.

June 2021 [redacted]. Amendment C131 showing minimal possible impact to property by flood or inundation??? Source: Latrobe Valley Express, 2021. C131 MAP No 50LSIO-FO, 2022.

2.9/ A video from Water Technology's YouTube channel, shows an animation of the June 2012 flood event using the Study's modelling method. It shows that during this event [redacted] and surrounding areas were completely inundated. Again, this assertion is false and not backed by any fact or evidence of that time. With the modelling animation determining [redacted] inundated by flood water during this event, the aerial photograph below depicts a very different factual truth.

2012 flood event [redacted]. (Source: WGCMA)

2.10/ A second video produced by Water Technology available from the WGCMA website, again using Study's modelling in an animation of a 1% AEP flood event of Traralgon Creek. The video references design flood flow and time. At the 20hr mark water flow at Traralgon gauge is approximately 20m3/s, and the animation shows [redacted] and surrounds inundated with up to 250mm of flood water. A flow rate of 20m3/s represents a Traralgon Creek @ Traralgon gauge height of approximately between 1.5 & 2m. This is well below minor flood level of 3.5m (Study Report, 2016). At this level Traralgon Creek would have barely overtopped its banks if at all. Events where Traralgon Creek has reached this gauge height would have resulted in [redacted] inundated by flood water no fewer than 6 times in past 12 months. This animation affirming LCC's opinion of inundation around [redacted] is false.

2.11/ Traralgon Flood Study – Summary Report identifies the "largest flood on record" as the flood event of September 1993. The following photograph of this 1% AEP event shows highlighted in red the location of [redacted] and our property. It is not flooded as LCC believes is the case during an event of this class. Interestingly LCC has since permitted building of homes in some areas shown in this photo to be covered in flood water. Why doesn't Amendment C131 overlays apply to these areas? Inconsistent and arbitrary application of overlays? This is actual evidence of a 1% AEP flooding event and not a hypothetical simulation. The photo clearly shows the area of [redacted] is not impacted by inundation during 1% AEP events.

1993 Largest flood on record. 1% AEP event.
Red area is location of [redacted] No impact from flood or inundation. (Source: J Symes)

2.12/ 10th of June 2021 saw a major flood event impact Traralgon. This event has been compared to a 1% AEP for many reasons. Peaking at 5.76m it was the largest since 1993. This event was arguably the largest ever, due to amount of damage caused, cost of clean-up, emergency response, and Government support provided in the wake of the event. The peak of flooding was around 7:30am and stayed above major flood level till about 3pm. From Study's modelling at these levels, LCC believes [redacted] and surrounding areas will be inundated by flood water. Photo on right (Source: S Borg) was taken during peak flood level at 1:45pm. This was most probably the same time that VicSES rescue boats were traversing several Traralgon streets inundated by flood water. Photographic evidence there is no flood inundation in [redacted] during these flood events.

2.13/ My submission email includes an attachment of a survey I undertook of [redacted] property owners who will be affected by Amendment C131 overlays. Survey asked whether residents had ever witnessed or were ever impacted by flood in [redacted] The unanimous answer was NO, and all conveyed their disbelief in the "ridiculous" suggestion by LCC that [redacted] area is impacted by flood from Traralgon Creek.

Stormwater or mainstream flooding does not occur in the [redacted] area. Depending on whichever view LCC decides is applicable to our area the information LCC has provided property owners supporting their decision is both deficient and incorrect. Application of C131 planning overlays by LCC is extremely inconsistent and unjustified. In either scenario LCC has not considered factual evidence, and instead relies entirely on a computer model that was never subjected to proper verification or authentication of its accuracy. Therefore, proposed Amendment C131 overlays should be removed from our property and the [redacted] area. I welcome the opportunity to discuss items and information presented in this submission further with LCC.

Regards

[redacted]

[redacted]

Submission 5d

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From: [redacted]
Sent: Wed, 22 Jun 2022 14:05:27 +1000
To: [redacted]
Subject: Re: FW: Amendment C131 (Flood Overlays Update) - update
Attachments: image004.jpg

Hi [redacted]

In your email dated 17th June 2022, you state "Traralgon Creek Flood Study identified a number of stormwater overland flow paths across the urban area of Traralgon". Can you please inform me where exactly these overland paths are discussed and identified in the report that ratepayers of effected properties were provided as part of Amendment C131 documentation? I am of the understanding that stormwater systems including overland flow paths and flooding that may result from these systems, are the responsibility of Latrobe City Council alone. Despite this LCC applied an LSIO to the [redacted] that is clearly outside of both current and proposed 1% AEP flood extents (DFE). Can you add any comment to this?

We are happy with the removal of our property from proposed LSIO for many reasons, including the WGCMA determining findings of Traralgon Creek Flood Study contained flaws and errors, as inferred by your email.

I am concerned with the statement that WGCMA, and therefore LCC, "are not prepared to say there is no flood risk at this location". This implies that LCC will continue working (in addition to the 6+ years already taken on issue) to apply flood overlays to this location. The fact that LCC will not consider updating SES flood mapping of this location despite having no flood overlays and is outside 1% AEP flood extent zone, further reinforces this view.

In my submission there are 18 items identified in relation to newly proposed flood overlays of Amendment C131. Answers sought from LCC in your email has failed to recognise the majority of these. LCC's updated flood mapping still shows flood overlays in the [redacted] area that in my opinion are incorrect. I understand that some items within my submission may now be invalid due to my individual property no longer having a proposed flood overlay. However, some items I believe still apply and are relevant to the application and accuracy of Amendment C131 in general. If LCC is unwilling to provide an explanation to all items within my submission, I am unable to withdraw my submission. This is not what I wanted but remain hopeful explanations may be provided in future.

Regards
[redacted]

On Fri, 17 June 2022, 15:39 [redacted] wrote:

> Good afternoon [redacted],

Aaron has passed your enquiry on to me.

The flood mapping in the vicinity of [redacted] was developed from the 2016 Traralgon Creek Flood Study.

The Traralgon Creek Flood Study identified a number of stormwater overland flow paths across the urban area of Traralgon that would contribute flow to Traralgon Creek.

Identification of these stormwater overland flow paths required modelling of the contributing catchment and then application of this catchment flow to the hydraulic model.

On receipt of your submission the WGCMA reviewed the modelling techniques used and determined that the way the catchment inflows were applied to the hydraulic model was not sufficiently detailed in this instance. The reason for this was the large catchment flow was applied to a single point rather than being applied across the hydraulic model as smaller dispersed points as would occur in reality.

While the WGCMA is not comfortable with the technique used to model the stormwater inflow in this instance it doesn't mean that there is no flood risk at this location. Given this the WGCMA is happy to support the removal of this area from the LSIO but we are not prepared to say there is no flood risk at this location and as such we do not recommend making any changes to the mapping that the SES utilise in times of emergency.

I believe you have discussed this matter with Adam at the WGCMA. Following these discussions and emails, can you please confirm how you wish to proceed with your submission?

Many thanks

Document Set ID: 2341020
Version: 1, Version Date: 23/06/2022

[redacted]

1300 367 700

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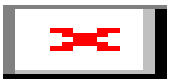

Please note my working hours are as follows:

Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm

Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm

Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [redacted]
Sent: Wednesday, 15 June 2022 2:41 PM
To: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update) - update

Hi [redacted]

I was very pleased to receive your email informing me "common sense" has prevailed with regard to the unjustified designation of LSIO to our property under Amendment C131. However, I am very frustrated and angered by the process used by LCC in their attempt to approve this amendment without any valid justification or reasoning given to effected land owners, despite the six years LCC have had creating Amendment C131.

Regarding my submission, and our property no longer impacted by Amendment C131, I am happy to withdraw my submission if LCC will provides me specific and detailed written answer to why this change has occurred and information leading to this decision. As a ratepayer and effected property owner I am entitled to this information for future record

should LCC attempt any future flood overlay changes. I would also like confirmation from LCC that they immediately inform and update applicable Victorian emergency services of the incorrect information provided to them, and currently on public record concerning Traralgon Creek flood extents.

Your prompt response to this will be appreciated.

Thanks

[redacted]

On Wed, 15 June 2022, 11:00 [redacted], [redacted] wrote:

Hi [redacted]

The WGCMA have provided us with their updated mapping. The overlays now proposed under the proposed Amendment C131 – Flood Overlays Update, are shown in orange (Floodway overlay) and yellow (Land Subject to Inundation Overlay) in the maps attached below. As you can see, your property (shown in red highlight) has been removed from the proposed flood overlays area.

Given the changes to the mapping and impacts on your property, can please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this outcome and wish to withdraw your submission?

[redacted]

P 1300 367 700

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Submission 5e

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From: [redacted]
Subject: FW: Re: FW: Amendment C131 (Flood Overlays Update) - update
Date: Tuesday, 4 October 2022 9:26:08 AM
Attachments: [redacted]

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

LatrobeCity
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From: [redacted]
Sent: Monday, 3 October 2022 4:50 PM
To: [redacted]
Subject: Re: Re: FW: Amendment C131 (Flood Overlays Update) - update

⚠ **EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.** ⚠

Good afternoon

We have just received our home insurance renewal notice and not surprisingly the premium has increased. We are aware of the current cost increases across the board in general, but our premium for the coming year has increased significantly. As expected, I contacted our insurance provider for an explanation and received a general answer about increased risks. Upon asking for more detail they explained the increased risk of bushfire (unlikely as our home is centrally located within a rural city) and FLOOD. Coincidence, maybe?

Property owners affected by Latrobe City Council's (LCC) C131 Amendment have been told on numerous occasions that LCC does not care about any financial impacts ratepayers may incur due to decisions made by the council. I find LCC's position on this unacceptable considering in our case that the C131 amendment LSIO applied to our and other properties in [redacted] was found to be unjustified and applied in error. This was detailed in an email I received dated 15th June 2022 containing an updated map that no longer applied an overlay to [redacted] properties. Despite this, I find that properties in [redacted] according to the latest updated information on LCC's C131 Amendment webpage (1st September 2022) show that an LSIO will apply under this amendment. Further, the Victorian SES Traralgon flood map has [redacted] as being impacted by flooding. All this information, despite being incorrect is on the public record and easily accessible to anyone, including home insurance providers.

I have previously expressed my concern to LCC over the incorrect flood map provided to Victorian SES for emergency response, and LCC's response was they do "not support removing this information from the data supplied to the SES and other emergency management agencies" (via email - [redacted] LCC, 29th June 2022). The map provided to SES I believe was sourced from the Traralgon Flood Study 2016, which I perceive as having never been peer-reviewed or approved for use. The map supplied to SES shows areas of flooding that are outside both current and C131 amendment proposed flood extents for a 1% AEP event.

In addition, I had contacted the SES about this concern to which I later received a phone call from [redacted] on the 27th of July 2022. SES had been in contact with LCC about this and [redacted] had called to ask what my concerns were in relation to this matter. We discussed this matter and C131 Amendment in general to which we resolved [redacted] would have an LCC SME contact me to discuss in more detail my concerns regarding the implied issue with [redacted] were not necessarily mainstream flooding but rather stormwater issues. As per my submission and statement within the Traralgon Flood Study that stormwater impacts "were not covered within the scope" of the study, I believe issues of stormwater and mainstream flooding are completely separate in the context of the C131 Amendment. Despite this I was interested to know what information and evidence LCC had regarding stormwater issues in [redacted], knowing that for 17 years I have lived there I have never witnessed or heard of an issue. I

have never been contacted by LCC in regard to this matter.

Can you please explain why map information has not been updated on LCC's C131 Amendment webpage despite there having been many corrections and updates to this page since its creation, the latest being 1st September 2022?

Can I please have from LCC a detailed explanation of its position on why it believes the current SES Traralgon flood map is correct and how areas of flooding were determined and reviewed despite showing several areas being flood impacted that are outside of current and C131 amendment flood extents for a 1% AEP flood event?

Can I assume that the fact I have not been contacted by LCC concerning stormwater issues in Jazmine Court is because, as I suspect, LCC does not have any evidence or information regarding neither the effectiveness of the stormwater system or any reported incidence of stormwater flooding in the area?

I look forward to your prompt reply to these questions.

Regards
[redacted]

On Mon, Jul 4, 2022 at 12:16 PM [redacted] wrote:

> Good morning [redacted]
>
> In previous correspondence, I informed Latrobe City Council I would withdraw my submission if and when LCC addressed all items and concerns raised in my submission to Amendment C131. All I have received is information relating to an incorrect report that was never available to affected property owners from the LCC Amendment C131 web page, or on display at LCC service centres during Amendment C131 submission period.
>
> As previously stated I was happy to hear that LCC acknowledges the error in their flood study hydraulic model and has mostly removed the unjustified overlays in the [redacted] area. LCC's response appears to be that the issue is with stormwater (still not entirely clear), despite no report being made available as to stormwater issues in the area. As per my submission, the [redacted] area is a new residential development that was designed and approved as per current planning design rules with regard to a 1% AEP design event. We purchased our property in this area on this fact.
>
> Having the overlay removed was absolutely the predominant reason for my submission. However, my submission raised many concerns about Amendment C131 including transparency, consultation and due process. The new revision of the amended map still has an area just outside [redacted] [redacted] as being LSIO. This is incorrect for the same reasons the proposed LSIO within [redacted] was incorrect.
>
> I am concerned with LCC's position regarding incorrect mapping supplied to emergency services is justified. This information is on the public record and on public display. Any person or company viewing this information would certainly incorrectly determine that the [redacted] area has mainstream flooding issues. This is despite the area being outside both current and Amendment C131 proposed flood extents, and LCC acknowledging the report for which the emergency services map was derived was incorrect. I have contacted the Victorian SES about this and agree with them that they should not be looking at resourcing areas in an emergency that has been incorrectly identified as at risk. From this discussion, I have sent all relevant information I have including correspondence received from LCC regarding this and hope to have a reply shortly on any clarification as to LCC's responsibility on this.
>
> My position has not changed. Address all items and concerns raised in my submission so that I may be able to allow withdrawal.
>
> Kind regards
>
> [redacted]

On Wed, Jun 29, 2022 at 2:35 PM [redacted] wrote:

Good afternoon [redacted]

The 2016 Traralgon Flood Study was a comprehensive investigation into flooding along Traralgon Creek and included 4 technical sub reports that were summarised in the final report presented to the community. Section 1.1 in the Summary Report provides a description of the 4 sub reports including the R03 – Traralgon Flood Study - Hydraulics.

The Traralgon Flood Study - Hydraulics report provides the detailed technical summary describing how the inflows were used in the hydraulic model. Given the highly technical nature of catchment hydrology and hydraulic modelling the intended audience for this report is practitioners rather than the community which is why we produced a summary report at the end of the process. The modelling used to identify the overland flow paths is documented in section 3.5 and 3.6 . Please let me know if you would like a copy of this report.

As stated in our previous response the WGCMA had some concern with how the Stormwater inflow hydrograph was applied to the hydraulic model which lowered the level of confidence we could apply to this mapping and as such the WGCMA was willing to remove [redacted] from the proposed LSIO. While the level of confidence in the modelling was not high enough to justify application of the LSIO it is still sufficiently high for the information to be used in emergency management. Given this the WGCMA does not support removing this information from the data supplied to the SES and other emergency management agencies, but does support the land not being included in the overlays proposed as part of Amendment C131.

Give the agreement to remove [redacted] form the proposed C131 overlays, would you be satisfied to withdraw your objection to the amendment?

Kind regards

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

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Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [redacted]
Sent: Wednesday, 22 June 2022 2:06 PM
To: [redacted]
Subject: Re: FW: Amendment C131 (Flood Overlays Update) - update

Hi [redacted]

In your email dated 17th June 2022, you state “Traralgon Creek Flood Study identified a number of stormwater overland flow paths across the urban area of Traralgon”. Can you please inform me where exactly these overland paths are discussed and identified in the report that ratepayers of effected properties were provided as part of Amendment C131 documentation? I am of the understanding that stormwater systems including overland flow paths and flooding that may result from these systems, are the responsibility of Latrobe City Council alone. Despite this LCC applied an LSIO to the [redacted] area that is clearly

outside of both current and proposed 1% AEP flood extents (DFE). Can you add any comment to this?

We are happy with the removal of our property from proposed LSIO for many reasons, including the WGCMA determining findings of Traralgon Creek Flood Study contained flaws and errors, as inferred by your email.

I am concerned with the statement that WGCMA, and therefore LCC, "are not prepared to say there is no flood risk at this location". This implies that LCC will continue working (in addition to the 6+ years already taken on issue) to apply flood overlays to this location. The fact that LCC will not consider updating SES flood mapping of this location despite having no flood overlays and is outside 1% AEP flood extent zone, further reinforces this view.

In my submission there are 18 items identified in relation to newly proposed flood overlays of Amendment C131. Answers sought from LCC in your email has failed to recognise the majority of these. LCC's updated flood mapping still shows flood overlays in the Jazmine Court area that in my opinion are incorrect. I understand that some items within my submission may now be invalid due to my individual property no longer having a proposed flood overlay. However, some items I believe still apply and are relevant to the application and accuracy of Amendment C131 in general. If LCC is unwilling to provide an explanation to all items within my submission, I am unable to withdraw my submission. This is not what I wanted but remain hopeful explanations may be provided in future.

Regards
[redacted]

On Fri, 17 June 2022, 15:39 [redacted], [redacted] wrote:

> Good afternoon [redacted]
>
> Aaron has passed your enquiry on to me.
>
> The flood mapping in the vicinity of [redacted] was developed from the 2016 Traralgon Creek Flood Study.
>
> The Traralgon Creek Flood Study identified a number of stormwater overland flow paths across the urban area of Traralgon that would contribute flow to Traralgon Creek.
>
> Identification of these stormwater overland flow paths required modelling of the contributing catchment and then application of this catchment flow to the hydraulic model.
>
> On receipt of your submission the WGCMA reviewed the modelling techniques used and determined that the way the catchment inflows were applied to the hydraulic model was not sufficiently detailed in this instance. The reason for this was the large catchment flow was applied to a single point rather than being applied across the hydraulic model as smaller dispersed points as would occur in reality.
>
> While the WGCMA is not comfortable with the technique used to model the stormwater inflow in this instance it doesn't mean that there is no flood risk at this location. Given this the WGCMA is happy to support the removal of this area from the LSIO but we are not prepared to say there is no flood risk at this location and as such we do not recommend making any changes to the mapping that the SES utilise in times of emergency.
>
> I believe you have discussed this matter with Adam at the WGCMA. Following these discussions and

emails, can you please confirm how you wish to proceed with your submission?

Many thanks

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [redacted]
Sent: Wednesday, 15 June 2022 2:41 PM
To: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update) - update

Hi [redacted],

I was very pleased to receive your email informing me "common sense" has prevailed with regard to the unjustified designation of LSIO to our property under Amendment C131. However, I am very frustrated and angered by the process used by LCC in their attempt to approve this amendment without any valid justification or reasoning given to effected land owners, despite the six years LCC have had creating Amendment C131.

Regarding my submission, and our property no longer impacted by Amendment C131, I am happy to withdraw my submission if LCC will provides me specific and detailed written answer to why this change has occurred and information leading to this decision. As a ratepayer and effected property owner I am entitled to this information for future record should LCC attempt any future flood overlay changes. I would also like confirmation from LCC that they immediately inform and update applicable Victorian emergency services of the incorrect information provided to them, and currently on public record concerning Traralgon Creek flood extents.

Your prompt response to this will be appreciated.

Thanks

[redacted]

On Wed, 15 June 2022, 11:00 [redacted] wrote:

> H[redacted]
>
> The WGCMA have provided us with their updated mapping. The overlays now proposed under the proposed Amendment C131 – Flood Overlays Update, are shown in orange (Floodway overlay) and yellow (Land Subject to Inundation Overlay) in the maps attached below. As you can see, your property (shown in red highlight) has been removed from the proposed flood overlays area.

Given the changes to the mapping and impacts on your property, can please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this outcome and wish to withdraw your submission?

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Please note my working hours are as follows:
Wednesday to Friday 8.15am – 4.45pm

****
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Submission 6

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Submitted on Thu, 2022-02-17 17:40

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is
Not to support the proposed planning scheme amendment C131 flood overlays. The community of Glengarry over the years has increased in size and during this time there has been no consideration to improving and upgrading the drainage throughout the township or beyond the town boundaries. A number of recent flood events have found our drains unable to cope and it has taken the voices of many within our community to all complain about the same issue for someone to respond and conduct inspections.

Recent inspections have found severe blockages along our drainage infrastructure and removal of tree roots impacting the drains will only be a temporary fix until the gum tree roots return to cause further blockages. Speaking with the people conducting the drain cleaning works, the best solution they can see to our flooding issues and having effective drainage is to remove trees along the easements causing the blockages.

The use of the proposed flood overlays such as the land subject to inundation overlay that is covers approximately 40% of our property, is not the solution to the problem. This is more like the council is saying there is nothing more that can be done due to an overlay and therefore the drains will no longer receive the attention they will actually require for maintenance and upgrading in the future.

The new estates starting to be built upon in Glengarry will also have a significant effect on our drainage as there is no upgrading of our current system and will feed into what is existing, causing yet a greater strain on the aging inferior infrastructure. I feel council needs to allow the estates to be completed and then reassess the town drainage and move forward with recommendations to improve the longevity of our drainage by removal of trees, regular inspections and maintenance before putting blanket flood overlays across the vast majority of Glengarry. Please reconsider amendment C131 and at least allow the town of Glengarry to see if recent works on unblocking our drains has had an effect on the flooding issues we faced in the past.

Submission 7

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[redacted]

[redacted]

[redacted]

[redacted]

Latrobe City Council
Strategic Planning
PO Box 264
Morwell VIC 3840

To whom it may concern,

RE:

I am writing to request the removal of the LSIO mapping proposed for [redacted] as part of the C131 Latrobe Planning Scheme amendment(shown on following page).

I was born and raised on this property, and in my lifetime I have never seen water lie on this section of our land, if anything, the south eastern corner of the property would get wet at times, however even this has not been present for a number of years due to some storm water works that were undertaken as part of the adjacent development.

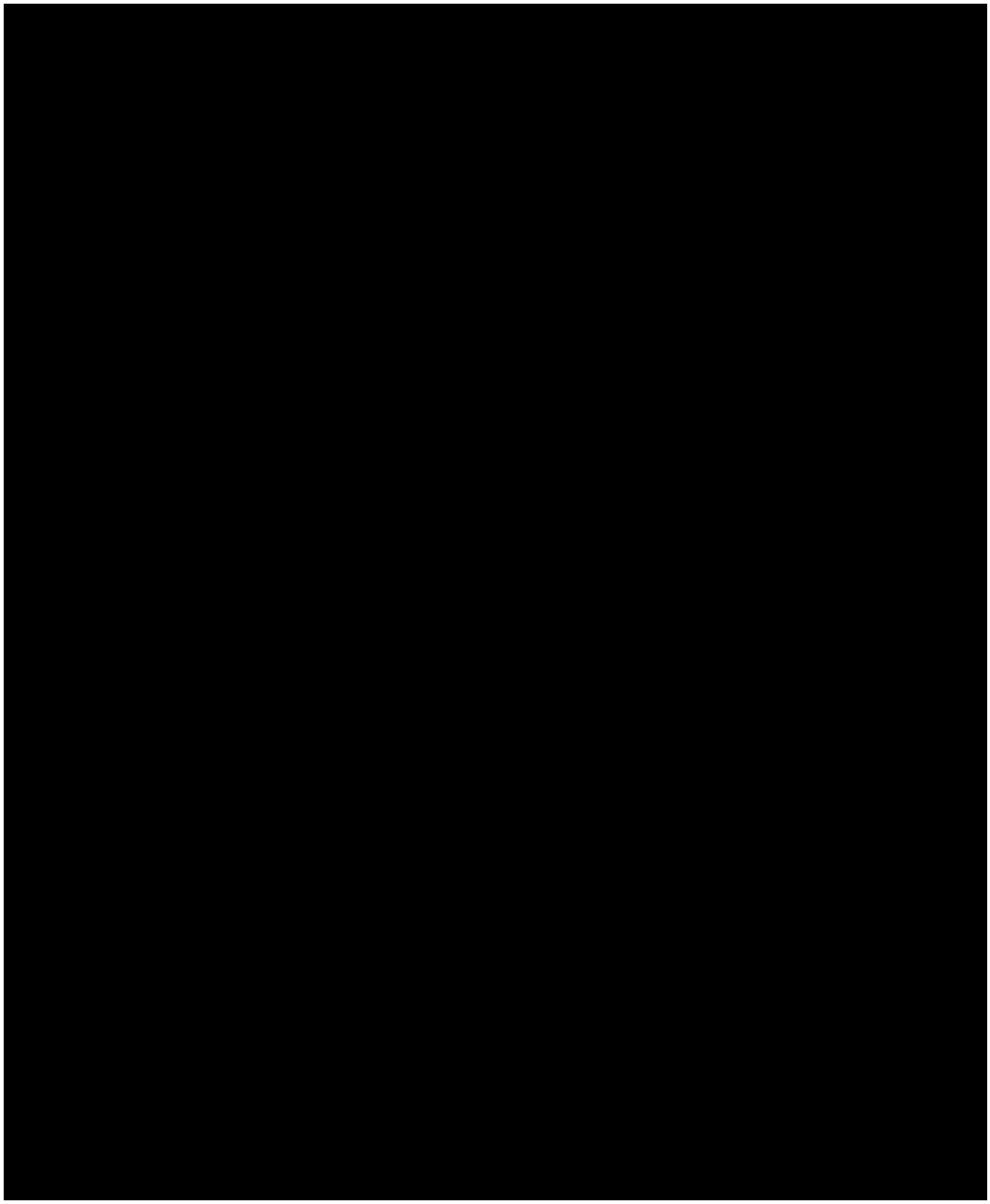
As you would be aware, there is a development plan overlay on this land, with a permit recently approved for subdivision. The land proposed for LSIO in this amendment will affect the lots approved in this process. As there have never been issues at this site with inundation, I do not believe it is fair on future residents of this subdivision to be subjected to any building or insurance restrictions as a result of this inaccurate mapping.

I request that you confirm with myself that this can be removed prior to this amendment being put forward.

I am happy to discuss this further if required.

Regards,

[redacted]



Submission 8A

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Submitted on Thu, 2022-02-17 21:41

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Confidentiality
Please withhold my name from public documents such as Council reports

Your Submission

My submission is
I object to the Latrobe Planning Scheme, amendment C131 (flood overlays). our property has now been classified under the prosed amendment as a Land subject to Inundation overlay. In the 14 years we have resided at our property, it has only been in the recent 4 months that our property experienced brief minor flooding due to a brief, rare and intense storm. I do not believe that our property or neighbouring properties need to be re-classified as a LSIO or previously known as floodplain area. Especially considering we live across to crown land that could be used as a area to assist with drainage issues. Latrobe needs to review and review and fix their current drainage water systems and water ways , other than re-zone and amend blanket areas of resident land where land owners will be subject to insurance rising, issues with permits and other related costs as a result of a rubbish blanket proposal that heavily affects rate payers. We would of loved to be previously consulted with council, other than receive a letter- with very little information that was highly confusing to read. We were also referred to a website where it took 2 hours to locate and find our property. This was infuriating and time consuming along with very stressful. Getting 6 pages of just numbers referring to amendment maps, gives the rate payer and resident no information. What a waste of paper and my time. Every rate payers time to flick through pages of nothing. I will be making a time to speak to the council planner, as you have left me with 6 pages of no information and I will have to waste further time listening to what this could potentially mean for the resale vale of our home and insurance costs. What a joke!!!!! Yet the Council is still very happy to re-zone farming land now currently on flood overlay for future residential zones. Appling!!

Submission 8B

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From: [redacted]
To:
Subject: RE: Amendment C131 (flood overlays
Date: Monday, 29 August 2022 1:12:30 PM

Good afternoon [redacted],

RE: [redacted]

Thank you for your patience in awaiting this reply, please see below my response.

There was an existing wetland on the site which is there to treat the stormwater from the catchment. We have expanded this wetland to improve stormwater quality treatment and enable better maintenance of the site. No new dam walls have been created.

The works were undertaken in consultation with the West Gippsland Catchment Management Authority whom set restrictions on the works to ensure that there were no negative impact to flood flows.

It's likely that by increasing the storage of flood flows in this enlarged wetland there'll be a tiny positive improvement in flood management.

Kind regards,

[redacted]

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Latrobe City
a new energy

From: [redacted]
Sent: Tuesday, 23 August 2022 8:05 PM
To: [redacted]
Subject: Amendment C131 (flood overlays

Hi [redacted]

In relation to the new flood overlay affecting the town of Glengarry, can you explain why the council has constructed a dam wall on the crown land accessed via [redacted]. Would have a significant impact on run off.

Cheers
[redacted]

Submission 9

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Submitted on Mon, 2022-02-21 16:07

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Confidentiality
Please withhold my name from public documents such as Council reports

Your Submission

My submission is
I do not agree with this new amendment. The drainage in Glengarry is a major factor, I think if that was fixed it would make a massive difference to our flooding issue. I also think the rail trail needs some attention when it comes to drainage. We have lived at our property for 20 years and have never had any flooding issues. I really think Latrobe City need to recalculate this flooding zone.

Submission 10a

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Submitted on Mon, 2022-02-21 16:25

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is
My property is raised well above the low lying areas and does not get any water what so ever laying on it. The rail trail out the back and the storm water drains on [redacted] are all blocked and flood. Poor storm water drainage and no maintenance causes the flooding to occur, fix this and there would be no flooding at all on [redacted] Our place has never flooded and does not hold floodwater at all, my property boundary is at least 500mm higher than the rail trail drainage. Can I please be contacted on [redacted] to discuss this in more detail.

Submission 10b

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From: [redacted]
Sent: Mon, 28 Feb 2022 09:07:08 +1100
To: Latrobe Central Email
Subject: [redacted]
Attachments: [redacted]

Hi,

I would like to formally request that my property [redacted] be re surveyed as I do not agree with the C131 flood overlay that has been completed. The lidar is obviously old (3 + years) as it does not show the changes made during subdivision to allow for the building to be constructed. My property is at least 500mm higher than any of the surrounding properties and does not hold any flood water at all. Water spills over the rail trail before it gets to our block therefore it is not possible for our block to be inundated. Any flood inundation that occurs to neighbouring properties is a direct result of poor drainage on the rail trail, the rail trail acts as a flood levy and has no drainage underneath it whatsoever.

As you can see by the attached photos taken this year during a flash flooding event, our property is high and dry and not as the inundation mapping indicates. Railway avenue and the farm land to the East is all lower than our property and would all be under water before our place.

Fixing the railway drainage and ensuring maintenance is undertaken would remove the flood overlay around my property completely. Poor drainage and lack of investment/maintenance should not be covered up by just putting a "flood overlay" over properties to remove your liabilities.

[redacted]

[redacted]acknowledges and respects the traditional owners of the land and waters upon which we work

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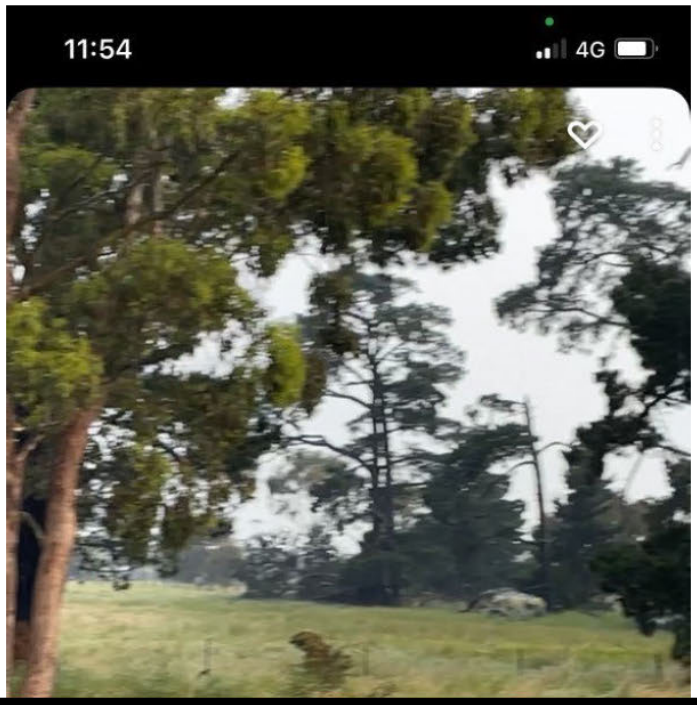

[redacted]

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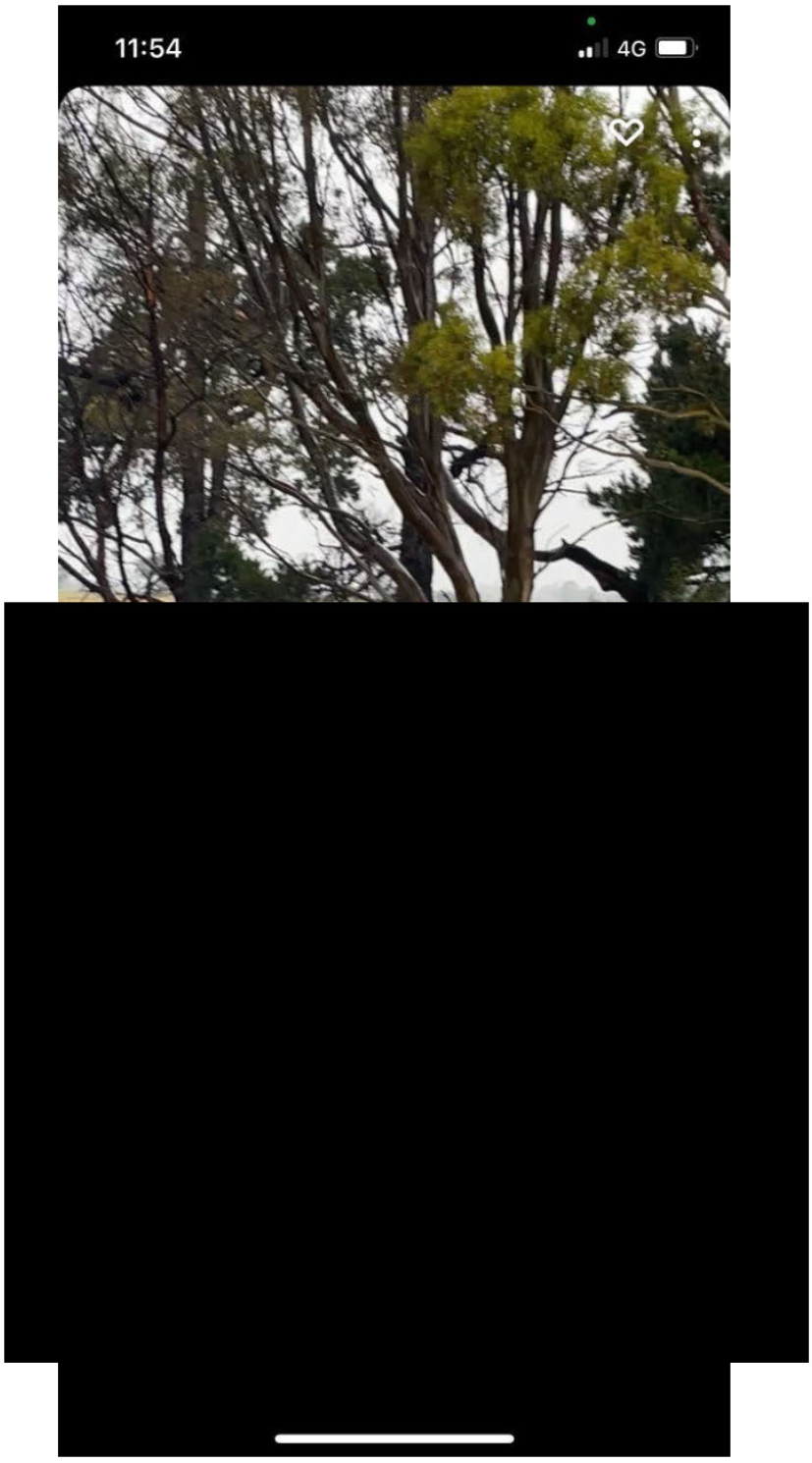

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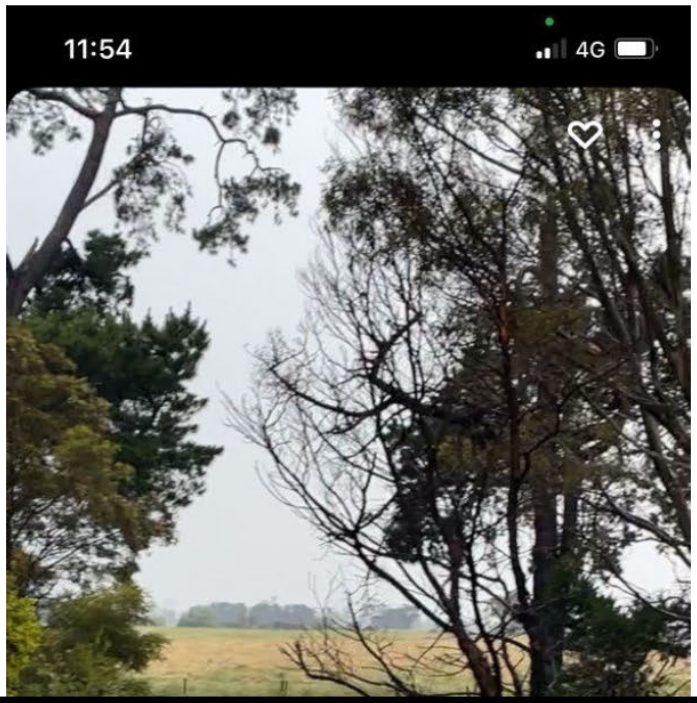

[redacted]

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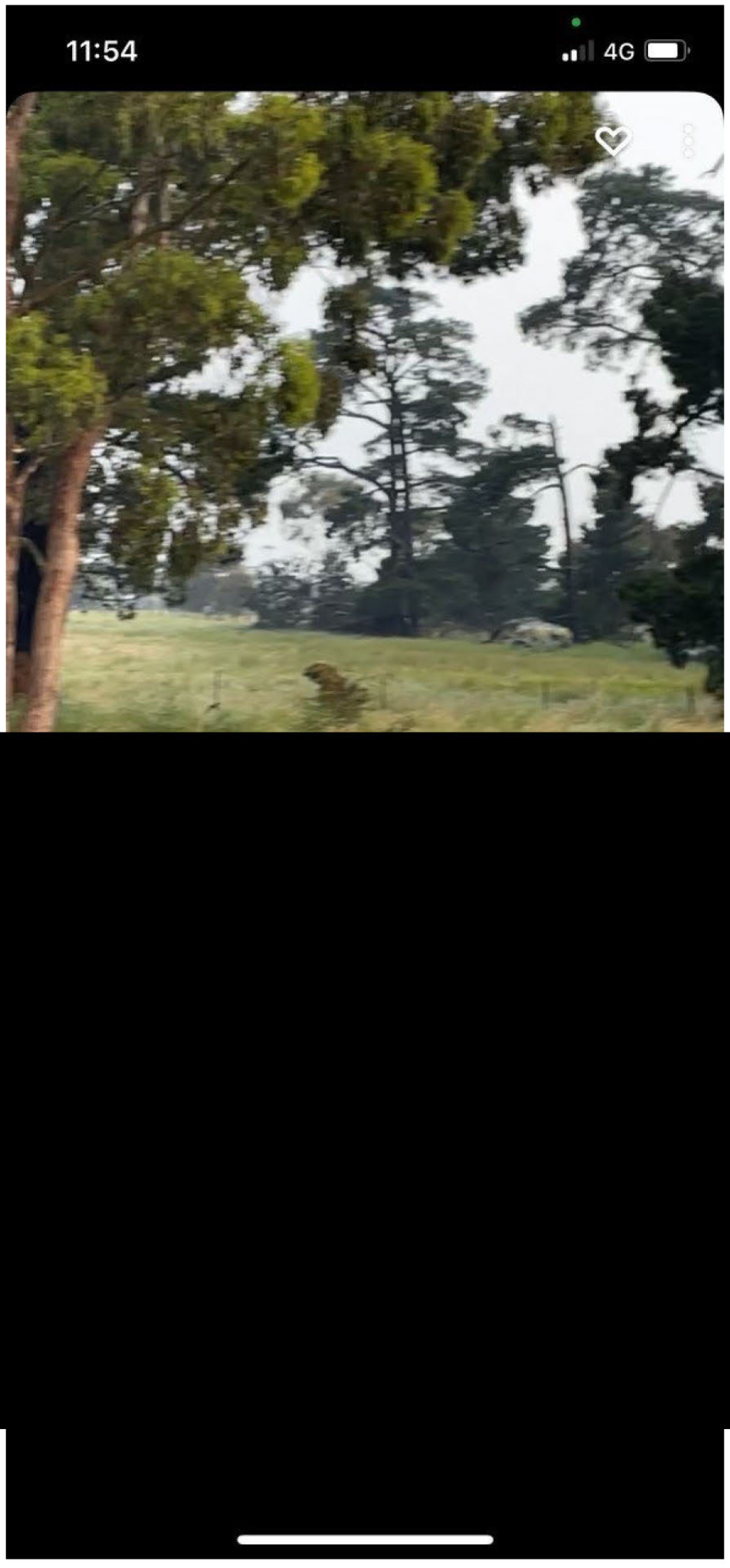
Version: 1, Version Date: 28/02/2022



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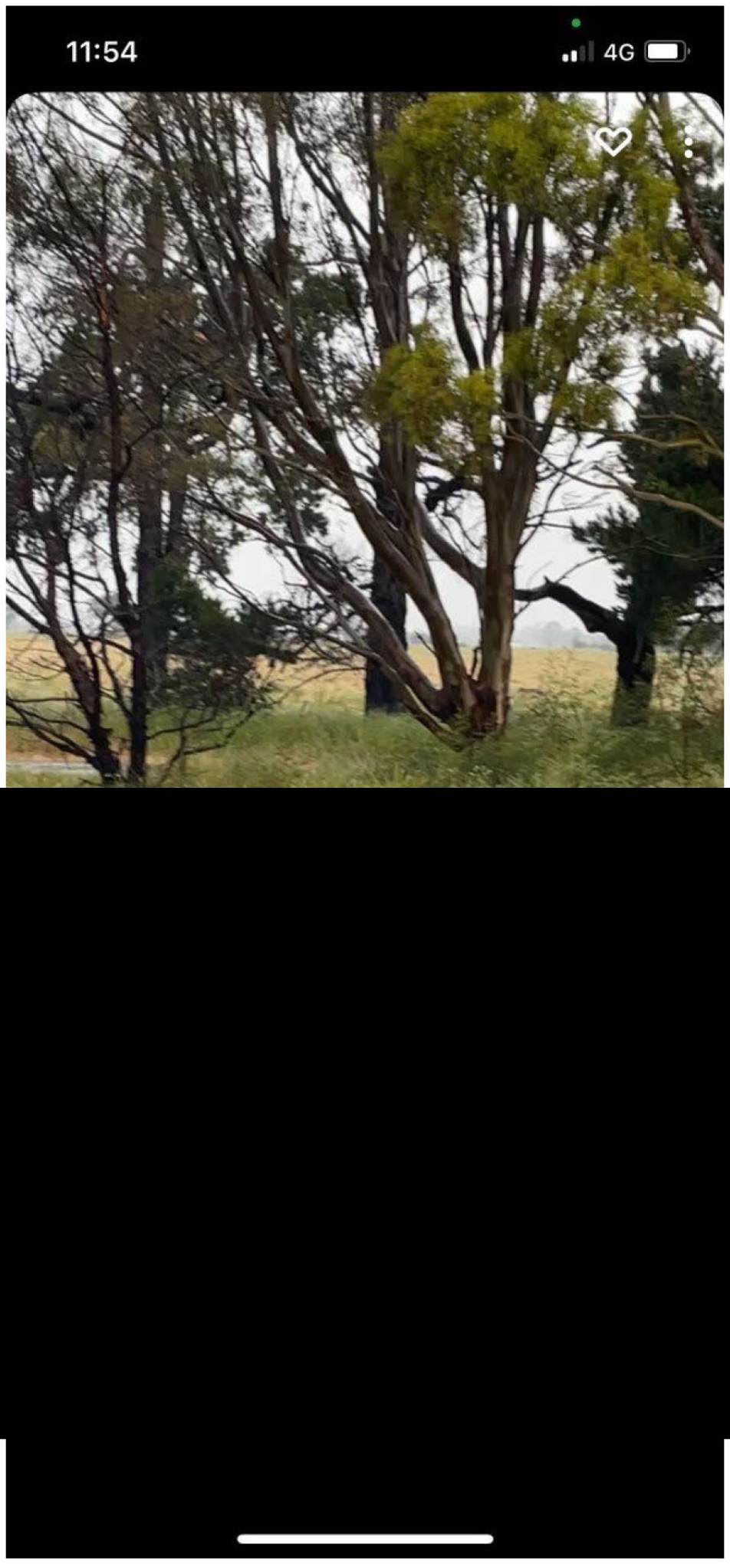

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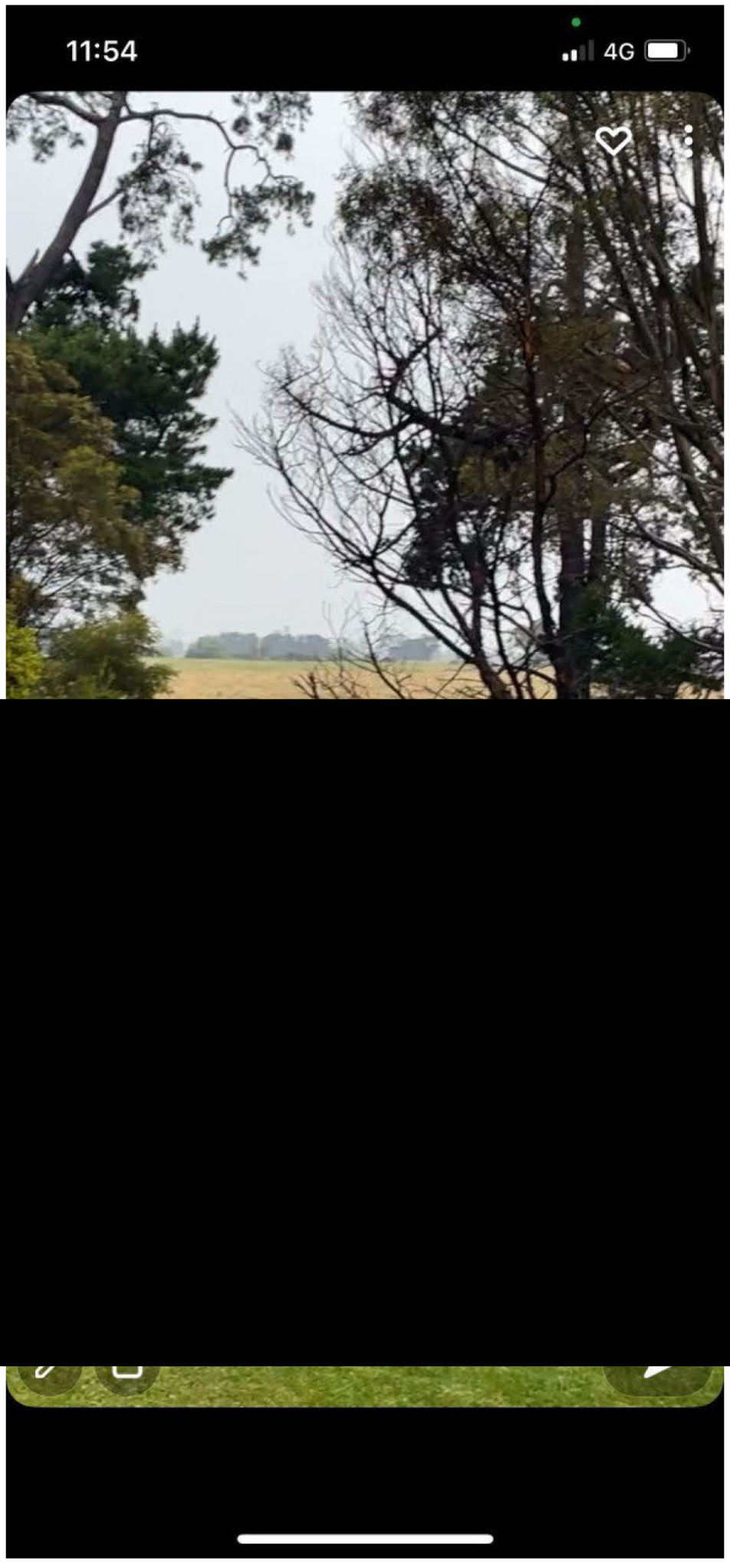
Version: 1, Version Date: 28/02/2022



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Submission 10c

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[redacted]

From: [redacted]
Sent: Thursday, 14 July 2022 9:26 AM
To: [redacted]
Subject: FW: Amendment C131 (Flood Overlays Update)- [redacted]

Follow Up Flag: Follow up
Flag Status: Completed

From [redacted]
Sent: Wednesday, 13 July 2022 5:36 PM
To: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update)- [redacted]

Hi [redacted]
thank you. I am happy to withdraw the submission relating to my property. I still have concerns relating to drainage in the town and on the rail trail that I would like noted please.

Regards,

[redacted]

[redacted]

On 13 Jul 2022, at 4:03 pm, [redacted] > wrote:

Good afternoon [redacted]

Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.

Following further investigation and a feature survey of the site, the level of the house has been confirmed to be raised. Updated mapping has been completed for this site and is has been removed from the overlay.

Attached is a map of the new LSIO-FO overlays near your property at [redacted]. As you will see, the proposed overlay has been removed from your property.

For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.

<image006.png>

Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Kind regards,

[redacted]

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

<image001.jpg>

<image002.jpg>

<image003.jpg>

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<Latrobe C131latr lsio-foMap19 Approval.pdf>

Submission 11a

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From: [redacted]
Sent: Wed, 16 Feb 2022 19:03:55 +1100
To: Latrobe Central Email
Subject: Amendment C131 flood overlays

Hello,
I do not support the proposed amendments to the flood overlays in glengarry.

I may not understand the proposal properly it it appears my address at [redacted] is now considered as a property that is subject to inundation.

This is absolutely unfair and immoral or Latrobe city's behalf given the only reason our property gets "inundated" with water is because Latrobe city do not maintain their drainage properly!

Gippsland water have recently cleaned all the drains out and have advised me personally that the drains out now clear after being almost completely blocked in sections of the drain!

Latrobe city you need to take responsibility for the issues rather than infer that it's due to other reasons and an extensive study. If you did the study correctly it would have uncovered your failures.

It is not appropriate or moral for rate payers who already get substandard services in our little town to then also wear the cost of higher insurance premiums due to now being in flood affected area.

I have lived in this town my whole life and before the gum trees grew large along the easement and have blocked the drains.

I am in 💯 disagreement of the proposed amendment c131

Sincerely
[redacted]

Sent from my iPhone

Submission 11b

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Submitted on Fri, 2022-03-18 09:54

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is

Please note this is a secondary submission after my meeting with Latrobe City Council on 17th March.
My primary focus is to have the ammendment scraped all together until upgrades are done to the drainage around glengarry so as not to adversely affect residents who now find themselves living in areas prone to flooding without their prior knowledge.
If council refuse to this I propose a compromise to the wording of the ammendment to narrow the scope of the problem. We have been advised that 80% of the time there would be no problem with water during periods of rain but in “once in 100 year weather events” the towns infrastructure will not cope and properties will be subject to inundation. If that is the case the ammendment needs to more clearly define the risk of inundation rather than implying it always subject to inundation. The prediction of flooding is really just that and it’s based past issues (which again I reiterate are because of Latrobe city’s inadequate drainage system) and you really have no way of knowing without a doubt whether it will occur now that the drains around [redacted] have been cleared. So to be fair to residents and rate payers if you need to have the ammendemt in place to secure funding to make upgrades then it should accurate depict the likely of flooding or inundation. I have been told that there is a process to appeal to have the wording used and I would like council to make this an option and commence conversations with relevant agencies.

From: Latrobe City Council
To: Strategic Planning; Latrobe Central Email
Subject: Anonymous User completed Amendment C131 Flood Overlays Update
Date: Monday, 1 April 2024 6:34:46 PM

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Anonymous User just submitted the survey Amendment C131 Flood Overlays Update with the responses below.

Name

[redacted]

Email

[redacted]

Address

[redacted]

Contact Number (id you want council officers to contact you).

[redacted]

Please select to either support, object or request a change be made to the draft document(s)*

Object.

Your Submission

This report is not based on fact but rather guesses of what might happen. The study was undertaken by civil engineering students who are not experts in their field let alone experts in hydrologic engineering. When discussing this matter with relevant representatives at drop in sessions I have been advised of the amount of rain that would be required to cause flooding to [redacted] When I questioned this amount of rain and how they are so sure, I keep being told because that's what the study says based on how low the ground is because water finds the lowest point. I questioned that the amount of rain needed to be declared a 1% event is not much less than the amount of rain we received in November 2023 and that there was absolutely no flooding or even water in the "unknown waterway" stated in the report. I was told the rain must've have fallen in the exact right spot. It rained everywhere at that time including up in the hills and in [redacted] for over 12 hours straight and there was NO flooding at all. This study is too old and needs to start with more recent methods to determine the true impact. In addition, the aerial photos and land measurements relied upon where taken 10 years ago, this is not acceptable evidence to rely on. Our property is significantly negatively impacted by this proposed ammendment and the measurement and photos where taken before we purchased the property 9 years ago, since then we have

made significant changes to our land that have not been taken into account and show how this study can have a detrimental impact to residence because they are not using relevant data. This floor overlay should also not be put in place before the feasibility study to add drainage on the north east side of glengarry is complete. Glengarrys flooding issues over the last 10 years have directly related to blocked drainage in the town. Since this was fixed 2 years ago there have been no problems with flooding. Council simply needs to use tax payers money to ensure regular maintenance and upgrades occur to ensure already developed areas with long term existing dwellings are not placed at unnecessary risk of flooding. It is not because rain up in the hills behind glengarry township will come pouring down a waterway into [redacted] that in the 40 years I have lived here has never had as much of a trickle of water in it. It not right or just to negatively impact citizens without expert advice or more scientific evidence to support the decision. All options should be looked at for the existing residential areas before implementing a floor overlay zone. This is different for new areas of course but everyone who is significantly disadvantaged deserves more rigour Around this process than what has occurred here. I submit that hydrologic engineers should conduct a study using recent data and that the feasibility study be completed before a flood overlay is put in place. This way public can trust the decision as it will conducted by qualified people with all options being looked at before a decision is made.

Submission 12a

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From: [redacted]
Sent: Sat, 19 Feb 2022 15:11:04 +1100
To: Latrobe Central Email
Subject: AMENDMENT C131 (FLOOD OVERLAYS)

We own the property at [redacted]

The flood overlays shown at this property are incorrect. The overlays have not taken the construction of [redacted] into account which have significantly altered the ground levels.

Kind regards,

[redacted]

Submission 12b

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From: [redacted]>
Sent: Wed, 29 Jun 2022 10:13:24 +1000
To: [redacted]
Subject: FW: Amendment C131 (Flood Overlays Update) - [redacted]

From: [redacted]
Sent: Wednesday, 15 June 2022 5:42 PM
To: [redacted]>
Subject: Re: Amendment C131 (Flood Overlays Update) - [redacted]

Thanks Aaron,

We are satisfied with the amendment removing the overlay

Regards

[redacted]

On 15 Jun 2022, at 4:50 pm, [redacted]> wrote:

Hi [redacted]

Thanks for the phone call earlier. As I mentioned, I am advising you that WGCMA have reviewed the modelling following exhibition of Amendment C131. The information provided to us details that it is likely the overlay can be modified and potentially removed from your property.

Attached is an image of the new modelling and proposed overlays. Your property is marked in red highlight, and the updated flood overlays in yellow and orange.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Regards,

Aaron Burness
[redacted]

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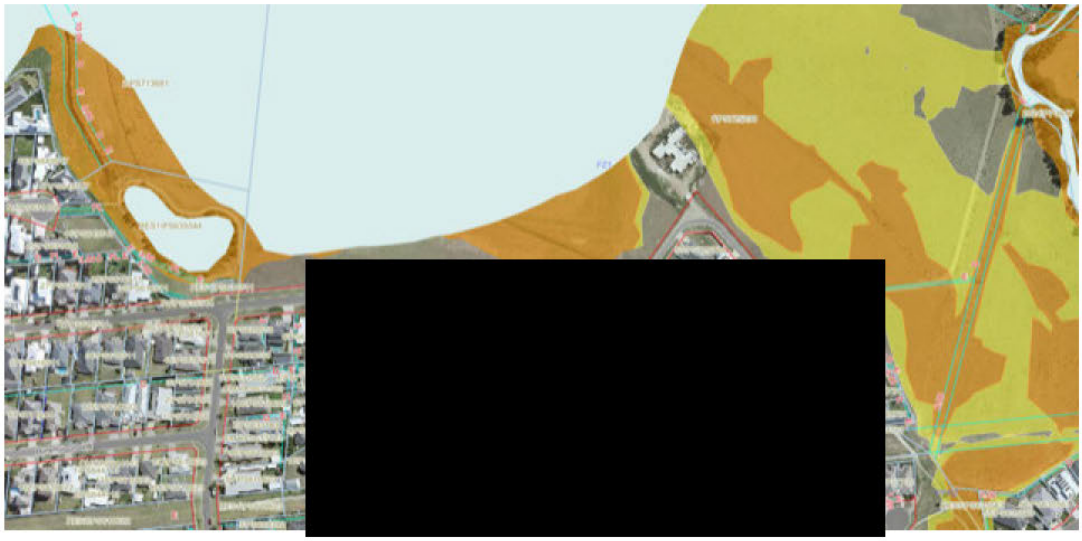

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Version: 1, Version Date: 29/06/2022

Submission 13

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From: [redacted]
Sent: Tue, 22 Feb 2022 17:42:24 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning

Hello

Recently I received a mailout regarding Amendment C131. I can't understand why this might have happened, as I'm not situated near bodies of water and none of my neighbors received this. As no one in this area is similarly affected, I request that my property, [redacted] be removed from this overlay.

I look forward to your reply and confirmation that this has been initiated.

Best regards
[redacted]

Submission 13b

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From: [redacted]
Sent: Thu, 16 Jun 2022 17:08:47 +1000
To: [redacted]
Cc: [redacted]
Subject: Re: Amendment C131 (flood overlays) - Update

Hello [redacted]

Thank you all for your time and assistance in understanding this matter and how it impacted my property.

As [redacted] have articulated that [redacted] has now been removed from the revised overlay below, I withdraw my objection to proposed Planning Scheme Amendment C131.

Many thanks everyone.
Best regards,
[redacted]

On Thu, 16 Jun 2022 at 10:56 am, [redacted] wrote:

> Hello [redacted],
>
> Given [redacted] advice below, can you please confirm whether you wish to proceed with your submission, or if you are satisfied and happy to withdraw your objection to proposed Planning Scheme Amendment C131?
>
> Many thanks

[redacted]

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Document Set ID: 2343802
Version: 1, Version Date: 29/06/2022

Please note my working hours are as follows:

Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm

Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm

Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [redacted]
Sent: Wednesday, 15 June 2022 3:47 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Amendment C131 (flood overlays) - Update

OFFICIAL

Good afternoon [redacted],

Thanks for your email. Happy to clarify.

The area around [redacted] was initially identified as being subject to stormwater flooding.

On review of your submission and the accuracy of the flood modelling at this location we concluded that the Overlay at this location was not warranted.

We have proposed to remove this area from the Amendment (see images below)

If this change addresses any concerns you may have had and you would like to withdraw your submission please get in touch with Latrobe City Council.

Please let me know if you have any other questions.

Exhibited

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Proposed changes after Exhibition

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Thanks

[redacted]

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[redacted]

www.wgcma.vic.gov.au Stay informed, sign up to our mailing list.

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Version: 1, Version Date: 29/06/2022

West Gippsland
Catchment Management Authority

I respectfully acknowledge the Traditional Owners of the Country upon which I work; their Elders past, present and future.

West Gippsland Catchment Management Authority, 16 Hotham Street Traralgon and Corner Young & Bair Streets Leongatha | PO Box 1374 Traralgon 3844 | 1300 094 262 for standard call cost | westgippy@wgcma.vic.gov.au | www.wgcma.vic.gov.au

From: [redacted]
Sent: Tuesday, 14 June 2022 8:07 PM
To: [redacted]
Subject: Re: Amendment C131 (flood overlays) - Update

You don't often get email from [redacted]

Hello [redacted]

[redacted] has suggested I contact you in regards to my property [redacted]) being contained within the recent flood overlay documentation and I'm not entirely sure why.

My property is not in an area that seems to be located near a large body of water and after the recent inundation of rain, isn't marshy in the slightest so I'm co fused where the water is meant to be coming from? I'd love to hear from you and discuss this further with the hope that perhaps the inclusion is a mistake?

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Version: 1, Version Date: 29/06/2022

Looking forward to hearing from you

[redacted]

On Tue, 14 Jun 2022 at 3:19 pm, Alannah Sherwen [redacted] wrote:

Good morning [redacted],

Unfortunately, the Out of Session Council meeting will be unable to provide you with the answers you are seeking as it is following a very strict schedule. The meeting is an opportunity to provide the Councillors with more detail about the submissions so they have all the information to form an informed decision.

I would suggest contacting [redacted] via email on [redacted] He is from the West Gippsland Catchment Management Authority and will be able to answer your questions.

Thank you kindly, and please don't hesitate to contact me if you require any assistance.

[redacted]

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W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840

From: [redacted]>
Sent: Monday, 13 June 2022 6:30 PM
To: [redacted]
Subject: Re: Amendment C131 (flood overlays) - Update

Thanks [redacted]

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Version: 1, Version Date: 29/06/2022

Will there be a question time to ask why certain properties are included in the overlay? That would be the only reason I would want to say anything!

Many thanks

[redacted]

On Thu, 9 Jun 2022 at 9:10 am, [redacted] wrote:

> Hello[redacted]
>
> Perfect, I have marked you as attending but not speaking. Let me know if you would like to speak as well and I can arrange that too.
>
> Thank you kindly,

[redacted]

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W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840

From: [redacted]
Sent: Wednesday, 8 June 2022 5:25 PM
To: [redacted]
Subject: Re: Amendment C131 (flood overlays) - Update

Hello [redacted]

Document Set ID: 2343802
Version: 1, Version Date: 29/06/2022

Thank you for the reply! Yes I would like to attend please. I'm still very unclear why my property was included on the overlay and where the risk comes from, in terms of flooding. I hope that this will be the forum it becomes clear?

Best,

[redacted].

On Wed, 8 Jun 2022 at 9:29 am, Alannah Sherwen [redacted] wrote:

> Good morning,
>
> The Council Meeting provides everyone with the opportunity to discuss their concerns further than what has already been submitted.
>
> You are more than welcome to attend if you want to stay updated. If you don't feel you need to attend or raise your concerns vocally, your submission for Amendment C131 still stands and all submissions are reviewed whether attending the Out of Session Council Meeting or not.
>
> If you would like to attend or speak at the meeting just let me know and I will record your decision.
>
> Thank you kindly and I hope this helps. Please feel free to email me if you have further concerns.

[redacted]

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Version: 1, Version Date: 29/06/2022

From: [redacted]
Sent: Tuesday, 7 June 2022 9:52 PM
To: [redacted] >
Subject: Fwd: Amendment C131 (flood overlays) - Update

Hello [redacted]

I wonder if you can help - I'm trying to ascertain what I am required to do (see below) regarding the recent invitation to a session on Thursday 16.

Do I need to formally prepare something, is my concern already raised and in train (and must I say something again in order for it to remain open?).

I see [redacted] is away so wasn't sure who to address this matter too.

Many thanks

[redacted]

---------- Forwarded message ---------
From: [redacted]
Date: Tue, 7 Jun 2022 at 9:44 pm
Subject: Re: Amendment C131 (flood overlays) - Update
To: [redacted]

Thank you for this [redacted]

Just wanting to confirm that I must attend and raise my issue again if it is to be considered at all? Is it already being reviewed or must it be public ally chaired in order for consideration?

Best regards

[redacted]

On Thu, 2 Jun 2022 at 5:08 pm, [redacted] wrote:

> Good afternoon,
>
> Please find attached an invitation for an upcoming meeting for Amendment C131.
>
> Kind regards,

[redacted]

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Submission 14

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From: West Gippsland Catchment Management Authority
Sent: Tue, 22 Feb 2022 11:44:42 +1100
To: Latrobe Central Email
Subject: WGCMA response for Various Sites Across Latrobe City Our ref: WGCMA-F-2022-00098
Attachments: WGCMA-F-2022-00098.pdf

OFFICIAL

Dear [redacted]

Response issued for Various Sites Across Latrobe City.

Your Ref: Amendment C131

Regards

Planning Administration

West & East Gippsland Catchment Management Authority
16 Hotham Street (PO Box 1374), Traralgon 3844
For any queries, please contact;
Office Phone: 1300 094 262

www.wgcma.vic.gov.au Stay informed, sign up to our mailing list.

I respectfully acknowledge the Traditional Owners of the Country upon which I work; their Elders past, present and future.

West Gippsland Catchment Management Authority, 16 Hotham Street Traralgon and Corner Young & Bair Streets Leongatha | PO Box 1374 Traralgon 3844 | 1300 094 262 for standard call cost | westgippy@wgcma.vic.gov.au | www.wgcma.vic.gov.au

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West Gippsland
Catchment Management Authority

WGCMA Ref: WGCMA-F-2022-00098
Document No: 1
Council Ref: Amendment C131
Date: 22 February 2022

OFFICIAL

Miriam Turner
Strategic Planning Officer
Latrobe City Council

Dear Miriam,

Regarding: Planning Scheme Amendment - Amendment C131

Property **Street:** Various Sites Across Latrobe City
Cadastral: Parish of Maryvale

Thank you for your correspondence received at the West Gippsland Catchment Management Authority ('the Authority') on 01 February 2022 in relation to Amendment C131 – Flood overlays update. The Authority understands that Amendment C131 seeks to review and update the extent of existing floodway overlay and land subject to inundation overlay in the Latrobe Planning Scheme.

The Authority supports Planning Scheme Amendment C131.

Should you have any queries, please do not hesitate to contact Ben Proctor on 1300 094 262 or email planning@wgcma.vic.gov.au. To assist the Authority in handling any enquiries please quote correspondence with us.

[redacted]

Planning

pondence is subject to the disclaimers and definitions attached.

ABN 88 062 514 481
Correspondence PO Box 1374, Traralgon VIC 3844
Telephone 1300 094 262 | Facsimile (03) 5175 7899 | Email westgippy@wgcma.vic.gov.au | Website www.wgcma.vic.gov.au
Traralgon Office 16 Hotham Street, Traralgon VIC 3844 | Leongatha Office Corner Young & Bair Streets, Leongatha VIC 3953

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Submission 15

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Hi [redacted]

As per our phone conservation re C131 Amendment , I would like council to review the West Gippsland Catchment Management Authority (WGCMA) history in regards to my property being place under LSIO 18FO.

I have resided in my home here for 30+ years and as such, have never seen any flood water rise any where near my west boundary fence.

I understand the low area westward of my property is lowland and a waterway. I ask the proposed LSIO18FO be restructured approximately 70 mtrs west to omit my western boundary.

My forward planning is to construct an extension to the existing garage to accommodate a caravan storage area.

Please see forwarded correspondence between myself and [redacted] re the same issue approximately 2010.

Thanks

[redacted]

Submission 16

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Submitted on Wed, 2022-02-23 20:25

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is
I am opposed to the proposed LSIO of my address. We do not have an inundation issue. The only issue is inadequate drainage and even more inadequate maintenance of such drainage along [redacted]. I am disgusted that the solution to drainage issues is to slap an overlay rather than fixing the real problem.

Submission 17

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From: [redacted]
To:
Subject: NEP-2401-2402 Planning Scheme amendment C131- Flood Mapping update.
Date: Wednesday, 23 February 2022 12:49:41 PM
Attachments: [redacted]

Good Afternoon [redacted]
My name is [redacted] I am the technical officer- 3rd party works for APA Networks.

Please be advised that I have provided some commentary on the proposed planning scheme amendment as below in "Red".

Thankyou for taking our input into consideration.

Kind Regards

apa

[redacted]

W apa.com.au

always powering ahead

This message is intended for the addressee named and may contain confidential information. No confidentiality or privilege is waived or lost by mistransmission. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender.

From: [redacted]
Sent: Tuesday, 1 February 2022 4:32 PM
Subject: [EXT]: PLANNING SCHEME AMENDMENT C131- Flood mapping Update

Dear Sir/Madam,

LATROBE PLANNING SCHEME, AMENDMENT C131 (FLOOD OVERLAYS) - NOTICE OF PREPARATION OF AN AMENDMENT UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Latrobe City Council has prepared Amendment C131 to the Latrobe Planning Scheme, which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).
The amendment affects 65,614ha of land within the Latrobe municipality which is within proximity of the Latrobe River and the Traralgon Creek, and considered to be at risk of flooding.
The Amendment seeks to:

- Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan;
- Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP);
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping;
- Deletes Planning Scheme Maps LSIO-FO Map Nos. 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, and 52LSIO-FO;
- Amend Planning Scheme Maps LSIO-FO Map Nos. 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO.
- Inserts Planning Scheme Maps LSIO-FO Map Nos. 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71LSIO-FO, 76LSIO-FO, and 112LSIO-FO.

We are writing to you because you may be affected by the proposed amendment. According to Latrobe City Council records

you own and/or occupy land that has been identified as being of interest in regards to the contents of the proposed Planning Scheme Amendment.
Enclosed with this letter is the formal notice of the amendment which is being sent in accordance with Section 19 of the *Planning & Environment Act 1987 (*the Act).
Full details of the amendment can be found on Latrobe City Council's website:
https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments

Or you may inspect the amendment documentation at the following locations:

- 141 Commercial Road, Morwell Vic 3840, Majority of the AGN (APA Networks operated assets) are what we consider small diameter distribution gas mains and are– thus I don't have any objection or issues to what is proposed at this location.
- 34-38 Kay Street, Traralgon Vic 3844, the AGN (APA Networks operated asset) in question is a DN100 distribution gas main subject to **significant** changes to the existing flood map at this location may cause erosion on the steel asset – if so APA on behalf of AGN may need to inspect the asset by means of undertaking a DCVG survey and possibly recoat this asset (at the proponents expense) to ensure your proposal doesn't impact the integrity of the existing pipeline in situ.
- 1-29 George Street, Moe VIC 3825, the asset in question is a DN50 and a DN63P8 asset – based on the material specification being polyethylene I have no issues with this proposal.
- 9-11 Phillip Parade, Churchill VIC 3842 the AGN (APA Networks operated asset) in question is a DN100 distribution gas main subject to **significant** changes to the existing flood map at this location may cause erosion on the steel asset – if so APA on behalf of AGN may need to inspect the asset by means of undertaking a DCVG survey and possibly recoat this asset (at the proponents expense) to ensure your proposal doesn't impact the integrity of the existing pipeline in situ.
- At the Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection

The amendment will be on public exhibition from 3 February 2022 to 7 March 2022 and this is your opportunity to make a submission to the proposed Amendment.
Officers are available to discuss the amendment via Zoom information sessions. To schedule a 1:1 Zoom meeting with a Council Planner at one of these sessions, please contact Strategic Planning on 1300 367 700 or email StrategicPlanning@latrobe.vic.gov.au
Information sessions are scheduled for:

- Monday 7 February, 10am-7pm
- Wednesday 9 February, 11am-7pm
- Monday 14 February, 11am-7pm
- Wednesday 16 February, 10am-7pm
- Tuesday 22 February, 10am-7pm

Any person may make a submission about the amendment, please note that the closing date for a written submission is 7 March 2022. A submission may be in support or not in support of the proposed amendment; additionally, a submission can just provide general feedback/comments for consideration. If you do make a submission, please be sure t specify which amendment your submission applies.
All submissions must be sent to:

Attention: Strategic Planning
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Alternatively, submissions can be sent to Latrobe@latrobe.vic.gov.au
Please note that all submissions in relation to Amendment C131 are being collected by Latrobe City Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987* (the Act). If you do not provide your name and address, Latrobe City Council will not be able to consider your submission.

Your submission will be available for any person to inspect during office hours free of charge for a period of two months after the amendment comes into operation or lapses. Copies of your submission may also be made available on request to any person for the relevant period as set out in the Act.
You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.

If you require further information, please contac [redacted]

Kind Regards,

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

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Submission 18

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Submitted on Thu, 2022-02-24 12:10

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is
I strongly object to the rezoning.
It will devalue our property and our rates are required to provide sufficient drainage for property's that have approved by council for unimpeded residential development

Submission 19

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From: [redacted]
Sent: Thu, 24 Feb 2022 09:18:06 +1100
To: Latrobe Central Email
Subject: Attn: Strategic Planning - Submission to LCC Amdt C131
Attachments: Submission to Latrobe City Council Amendment C131 - Flood overlay.pdf

Hello,
I have attached my submission to Latrobe City Council Amendment C131.
For your consideration.
Regards
[redacted]

Document Set ID: 2296596
Version: 1, Version Date: 24/02/2022

Submission to Latrobe City Council Amendment C131

Att: Strategic Planning

With regard to Amendment C131, I believe the suggestion by Latrobe City Council (LCC) that [redacted] or any property therein has ever been or is susceptible to impact by flood or inundation (as defined in amendment documents) from Traralgon Creek is incorrect. Amendment C131 Map No 49LSIO-FO shows the proposed overlay for [redacted] as separated from the Traralgon Creek floodplain. [redacted] is also located well above the height of the creek with many properties lower in elevation and closer to the creek not subjected to overlays.

It has been advised that [redacted]s proposed overlay is not flood or inundation related, but issues due to stormwater and movement of that water. LCC's Amendment C131 is based entirely on the computer generated "best guess" modelling of the "Traralgon Flood Study - Summary Report" regarding flooding and inundation specifically from Traralgon Creek. The report's findings and recommendations do not reference or consider stormwater, flash flooding, or their resulting overland flows in the Traralgon urban area. Refer Flood Report, section 3.3 page 17, also in the Latrobe Planning Scheme Amendment C131 Explanatory Report, and the West Gippsland Floodplain Management Strategy 2018-2027. In 11 years of living at [redacted] I have never witnessed or been impacted by stormwater or any resulting movement of that water. Stormwater infrastructure in [redacted] has proven to be capable and appropriate in evacuating stormwater, including during recent severe record rain events of 2021. The Traralgon Creek Flood Study Report overlay recommendations are based on computer modelling of a 1% AEP flooding event of the Traralgon Creek. Stormwater was not considered in the report and its modelling. From the report "flash flooding as a result of stormwater issues that were not covered within the scope of this project."

My concern extends to the validity of all amendments arising to overlays, particularly within Traralgon, related to stormwater, as the scope of Traralgon Flood Study did not extend to stormwater issues.

The Traralgon Flood Study report does not support the application of Amendment C131 to overlay a LSIO on the identified areas of [redacted]. Discussion with LCC & WGCMA representatives have not resulted in either party providing additional evidence to support the application of the amendment to [redacted]. Therefore, the application of Amendment C131 to [redacted] should be removed.

I look forward to your prompt reply to the information raised and presented in this email and would again request more time be offered for submissions to Amendment C131.

Regards

[redacted]

[redacted]

[redacted]

[redacted]

Submission 19b

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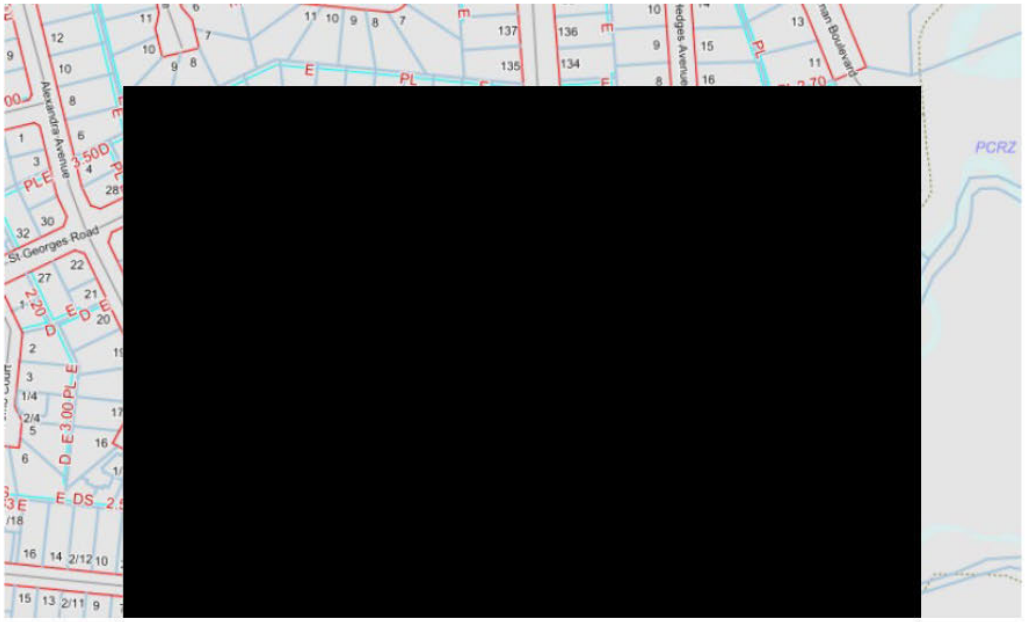
From: [redacted]
To:
Subject: FW: Amendment C131 (Flood Overlays Update)-[redacted]
Date: Friday, 15 July 2022 1:53:44 PM
Attachments: [redacted]

From: [redacted]
Sent: Friday, July 15, 2022 12:29:05 PM
To: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update)-[redacted]

Hi [redacted]
I am satisfied with this information and wish to withdraw my submission.
Regards
[redacted]

On Wed, Jul 13, 2022 at 4:08 PM [redacted] wrote:

> Good afternoon [redacted]
>
> Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.
>
> After further review the flood mapping identified in [redacted] is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.
>
> Attached is a map of the new LSIO-FO overlays near your property a [redacted]. As you will see, the proposed overlay has been removed from your property.
>
> For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.
>
> 
>
>
> Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Submission 20

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Submitted on Sun, 2022-02-27 10:32

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Confidentiality
Please withhold my name from public documents such as Council reports

Your Submission

My submission is
To me it seems these amendments are being made from the recent 2021 not the studies from 2015 and 2016. As the property I now own was previously owned by my parents and where I grew up. So I've been here my whole life. Flooding has never impacted this property any more then the current overlay levels. The new suggested overlays are amazingly the exact same as where water level reached in 2021, this has never happened before. To me it seems to be an issue with poor maintenance of the storm water system with majority of the water that affected this property coming out of the storm water drain in front of the property. I personally am not happy with the new overlays as the new proposal put almost my entire property In the zone which will have a financial impact on myself with resale value and insurance cost. If council is planning to heavily impact people such as myself will we see rate drops to compensate us for likely future losses or are we expected to just suck it up.

Submission 21

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Submitted on Mon, 2022-02-28 15:02

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Confidentiality
Please withhold my name from public documents such as Council reports

Your Submission

My submission is
To whom it may concern,

I am enquiring about the proposed flood overlay in Glengarry.
My property is coloured blue, so Im guessing that my zoning will be changed. As I and possibly many other Glengarry residents don't understand how this will affect the value of our properties, and perhaps the rising of our insurance.

In all the almost 29 years I have lived at [redacted], my property has never flooded, thought the road itself has, but once the drain cleared the water moved away quickly. So my question to Latrobe City Council is this, the town is growing but no works have been done to the drainage of the town in the 35 years I have lived in Glengarry.
Perhaps the councils time could be better spent investigating the drainage problem and how to remedy the problem of blocked and out dated drainage.

Submission 22

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Good Afternoon [redacted]

As requested please see our submission to oppose the proposed flood amendment to our property situated at [redacted]

We refer to your maps provided to us on the 21st of February to which we would like to respond:

1. The properties situated at [redacted] have both been built up on landfill of around 1.0m
2. [redacted] has a house built on it which your map doesn't appear to acknowledge
3. There has been a spoon drain established between the above mentioned properties (not shown on your map also)

Based on the three points alone, your modelling showing water flow is incorrect.

We can assure you that the only excessive water we have seen of recent times has been a result from rain which has filled into the rail trail and the only reason for that is, when the 4 properties situated at [redacted] were built, they have had their storm water and a spoon drain between the properties, directed straight out to the rail trail that is not a drainage easement - This was approved from La Trobe City as part of the Sub Division approval??

Therefore this has proven to show an adverse effect on our property as the rail trail flows uphill towards Glengarry and uphill from us towards Traralgon.

We feel that you, The Shire, are responsible for any water inundation that we may receive.

We do not agree with your proposed flood overlay and request you amend this accordingly, as the water does not flow from [redacted] through the residential allotments into our property as your map indicates.

If your proposal is approved, it will be unjust to us causing any subdivision, housing or shed development to be knocked back or difficult to obtain. Our insurance premiums will also be increased due to flood cover being over a property with a flood overlay.

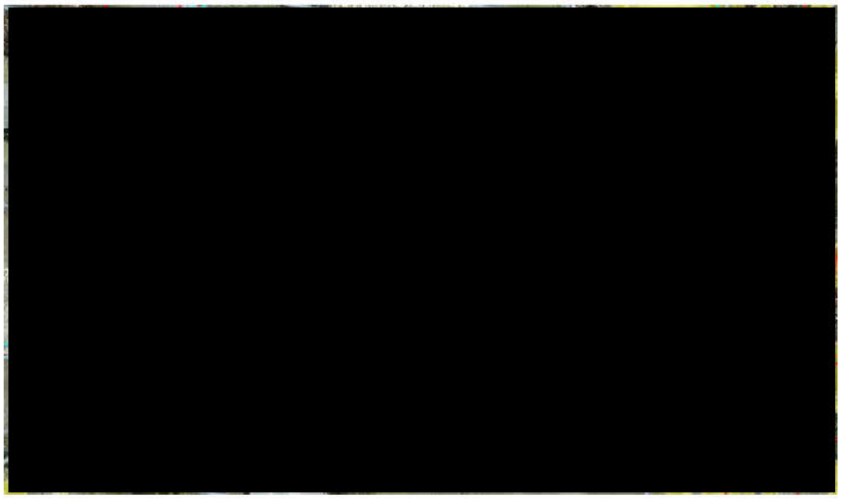
If this proposal looks to go ahead you will leave us no other option but to cart clean fill in and build up the 'affected area' (as per your modelling) to the same height as the sub division next door to ensure we will not be affected by any future inundation.

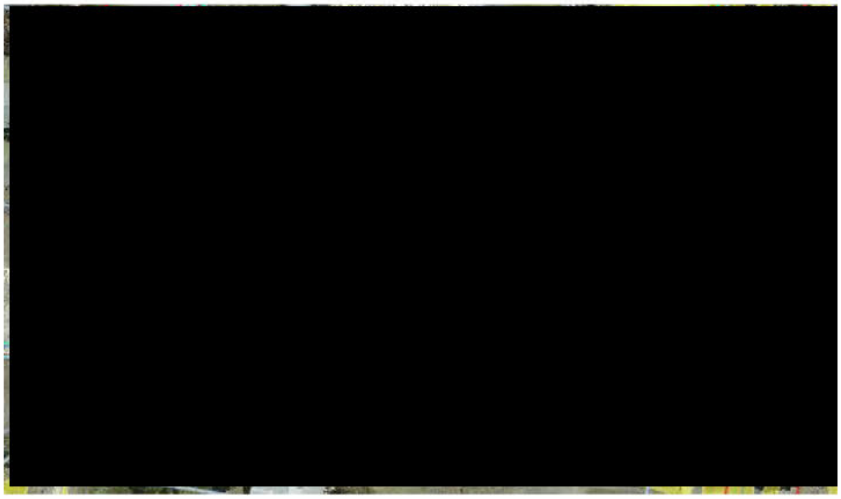
Please review your modelling and take into consideration a more updated map of our local area which clearly shows your modelling is not true to life - Also, we recommend further investigation with the appropriate departments to ensure that all drainage in our town is maintained appropriately and regularly as this is where the main issue arises for the Kyne Street area.

If you are able to approve multiple development / building permits for additional housing in this town, wouldn't you think that fixing the current out dated, blocked, unmaintained drainage infrastructure to be a major priority first??

Several people in this town have now requested a community meeting, is this happening?? Covid restrictions have now been eased dramatically therefore there shouldn't be any reason for this meeting not to occur.

We look forward to your response and hope you take our feedback on board favourably.





Regards,

Submission 23

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Submitted on Mon, 2022-02-28 12:13

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is

I wish to object to the proposed flood overlay on my property at [redacted]. We have owned this property for over 30 years and the areas indicated have never flooded. This includes over the last few months of greater than usual rainfall. I'm not sure how you have derived these plans but it is definitely wrong on this occasion.

[redacted] (558.04 KB)

Submission 24

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Submitted on Tue, 2022-03-01 14:04

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is

Hello,
I've tried to research and understand the flood overlay proposal to the township of Glengarry, but can't as my property IS NOT subject to flooding, but in your report is. Could I get someone to explain to me how this overlay works, as I don't think a 'blanket' flooding overlay is fair to quite a few of Glengarry's residents. I look forward to hearing from you.
Kindest regards, [redacted]

Submission 25

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Submitted on Mon, 2022-02-28 17:17

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is
To Whom it May Concern,
We are writing in regards to the flood overlay amendment C131 at [redacted]. We would like to object to the amendment as our house has not been affected by any floods. We believe the overflow of the water on the roads has been from gutters being blocked from tree roots and debris and believe they should be cleaned on a regular basis. We do not believe that any flood overlay should be added and would like our property to be removed from the proposed amendment.
Kind regards,
[redacted]

Submission 26
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REF NO. C131

MT: JO

FLOOD OVERLAY

Latrobe City Council
DOC22/181842
Date Received: 25-Feb-2022

[redacted]

Dear Kellie O'Callaghan,

My husband and I would like to make our objection quite clear to the new flood plan for our property at [redacted]

We have lived at this address for 37 years and never in that time have we ever come close to being flooded. Our house is built on stumps and is at least 600mm off the ground.

When our block was subdivided in approximately 1982-83 the dirt that was taken to form the road in front of our property was then placed along our back fence which makes our block higher than the land behind us.

The fact that council has placed a blanket flood cover over a lot of Glengarry seems to us, to be the easy way out for council. If council deems the area to be of such a high risk, then why are they not addressing the issue in the first place by putting in better drainage.

Also the letter that you sent us was quite hard to understand with a series of numbers and letters which we had no idea what it meant. This seemed very underhanded on council's behalf.

We hope for your consideration and resolution regarding this matter.

Kindest Regards

[redacted] 22 · 2 · 2022

[redacted] 22 · 2 · 2022

Document Set ID: 2297048
Version: 1, Version Date: 25/02/2022

REF NO. C131

MT: JO

FLOOD OVERLAY

[redacted]

Dear Sir/Madame,

My husband and I would like to make our objection quite clear to the new flood plan for our property at [redacted]

We have lived at this address for 37 years and never in that time have we ever come close to being flooded. Our house is built on stumps and is at least 600mm off the ground.

When our block was subdivided in approximately 1982-83 the dirt that was taken to form the road in front of our property was then placed along our back fence which makes our block higher than the land behind us.

The fact that council has placed a blanket flood cover over a lot of Glengarry seems to us, to be the easy way out for council. If council deems the area to be of such a high risk, then why are they not addressing the issue in the first place by putting in better drainage.

Also the letter that you sent us was quite hard to understand with a series of numbers and letters which we had no idea what it meant. This seemed very underhanded on council's behalf.

We hope for your consideration and resolution regarding this matter.

Kindest Regards

[redacted] 22. 2. 2022.

[redacted] 22. 2. 2022

Submission 27

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From: [redacted]
Sent: Sun, 27 Feb 2022 13:45:38 +1100
To: Latrobe Central Email
Subject: Latrobe Planning Scheme Amendment C131 - Rezoning of Glengarry and new Glengarry Town Structure Plan
Attachments: Latrobe City Letter 11.01-1L Glengarry Town Structure Plan.docx

Good afternoon

Attention: Strategic Planning, Latrobe City Council

Please find attached a letter outlining our objection to the Latrobe Planning Scheme Amendment C131 - Rezoning of Glengarry and new Glengarry Town Structure Plan – Amend clause 11.01-1L.

As outlined in our letter we are concerned residents and rate payers of 20 years and fail to see how the rezoning of our land will be of any benefit to us and our family home.

We will also send a signed hard copy of the letter to you and have also forwarded a copy to Russell Northe MP and Melina Bath MP for their attention.

Thank you
[redacted]

28/02/2022

Strategic Planning
Latrobe City Council
PO Box 264
MORWELL VIC 3840

RE: Latrobe Planning Scheme, Amendment C131 (Flood Overlays) - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)

We write this letter as a concerned Glengarry homeowner and resident of 20 years.

We live at [redacted] we purchased our land in 1998, built our home in 2001 and have since raised our family of 3 boys, of whom we are still providing for.

In relation to the letter dated 31st January received from Latrobe City Council regarding the C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO) **we submit our objection to these proposals,** in particular, document titled "***Latrobe Planning Scheme -11.01-1L 13/10/2021 C131latr*** ". This document makes reference to land within the Glengarry town structure plan and is said to "***Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.***"

The area denoted on the map as **GTSP Area 3** encompasses our property and family home.

The C131 Amendment and its attachments is the first we have known of, or been made aware of any changes to the Glengarry Town Planning amendment, which includes our property with the intention to turn it into a "future residential" zone. The information is not easy to find; we had to search to find the "***Latrobe Planning Scheme -11.01-1L 13/10/2021 C131latr*** " and we feel that Latrobe City Council is attempting to pass this specific documentation without proper consultation of the land owners.

In regards to this document, we are disappointed by the lack of communication by Latrobe City on this proposal and we are concerned for our future. We are worried that if our property is to be rezoned to "future residential" that our rates will increase and will not be affordable, which in the long term will have the potential to drive us out of our home. This is something that concerns us greatly.

We do not want to and have no intentions of moving from or selling our property. We purchased this property to support our lifestyle of wanting to live in a rural setting, to build our dream home and to give our children room to grow without the restrictions of town living. We have worked hard to achieve what we call our family home. We have always paid our Rates on time and we are honest hard working tax paying residents. All of which should hold us in good stead to continue to live the life we sought without having to be disadvantaged due to the proposed changes.

The other concerns we have for the Glengarry Town Structure Plan is; how does the current infrastructure of Glengarry support the additional proposed residential area? What additional facilities are going to be required to support population growth in Glengarry? Where are these facilities going to be placed, and will there be more Amendments in the future to support these developments?

We would appreciate a reply to this matter as soon as possible. We request that you provide further information to explain what the long term effects are for us as land owners affected by this Amendment.

We can be contacted on [redacted] or [redacted] should you wish to contact us.

Thank you

[redacted]

cc Russell Northe, MP
Melinda Bath, MP

Submission 28

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From: [redacted]
Sent: Sun, 27 Feb 2022 11:10:37 +1100
To: Latrobe Central Email
Cc: Russell Northe;melina.bath@parliament.vic.gov.au
Subject: Attention: Strategic Planning - C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)
Attachments: clause_11.01-1l_structure_plans (1).pdf

27/02/2022

Strategic Planning

Latrobe City Council

PO Box 264

MORWELL VIC 3840

To whom it may concern,

RE: C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)

My name is [redacted] and I'm a concerned Glengarry resident.

I've been a long-term resident of the Glengarry region for approximately 46 years and now with my young family; reside at [redacted] which we've owned for the past 14 years.

With respect to the recent information pack received on 31 Jan 2022 from Latrobe City Council on the C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO) I must submit my strongest objections to these proposals; in particular, one document titled "***Latrobe Planning Scheme -11.01-1L 13/10/2021 C131latr*** " (document attached as reference material). This document makes reference to land within the Glengarry town structure plan and is said to "***Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.***"

For clarity, the area denoted on the map as **GTSP Area 4** encompasses my home and existing 10-acre property!

Our objections from herein are pure and simple; we don't want to and I have no intentions of moving or selling our property. We purchased this property to support our lifestyle with horses and other animals and to give our kids room to grow and move without the restrictions of town living. This was always our intention and to date we've been extremely happy with the rural lifestyle supported by this property. We've always worked hard for everything we have and to date, have been what we believe to be good tax and rate paying members of the community. This amendment and more importantly the proposed GTSP feels like a real kick in the guts and to be honest, makes us wonder why we bother!

This C131 Amendment and its attachments is the first time we've seen or been made aware of any reference to Glengarry Town Planning which encompassed our property with the intention to turn it into a "future residential" zone. We're afraid that if/when our property is rezoned to residential that the increase in our rates will make it unaffordable and that we'll be driven off our own property! To make matters worse; we've searched through a lot of the documents relating to "***Latrobe Planning Scheme -11.01-1L 13/10/2021 C131latr*** " and on face value it would appear that the Latrobe City Council is attempting to sneak this specific documentation through under the guise of the C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)!

With respect to this document, we're utterly shocked by the lack of communication and consultation by anyone from Latrobe City on this proposed development and to be quite honest; since we first became aware of this "PLAN" the wife and I have had a lot of sleepless nights worrying about the future. Do we now put all future property plans on hold?

We would appreciate a response on this matter with a level of urgency and an explanation as to what the future holds for us as landowners.

I eagerly await your response!!!

[redacted]

[redacted]

Cc: Russell North

Melina Bath

11.01-1L

Glengarry

13~~28~~/10~~05~~/2021
C131~~22~~latr

Policy application

This policy applies to land within the Glengarry Town Structure Plan (GTSP) in this clause.

Strategies

Support Glengarry's role as a dormitory suburb of Traralgon.

Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.

Encourage low density residential development in GTSP Area 5.

Encourage development of large allotments within existing residential areas GTSP Area 6.

Protect public open space areas including the Gippsland Rail Trail (GTSP Areas 8 & 9).

Policy documents

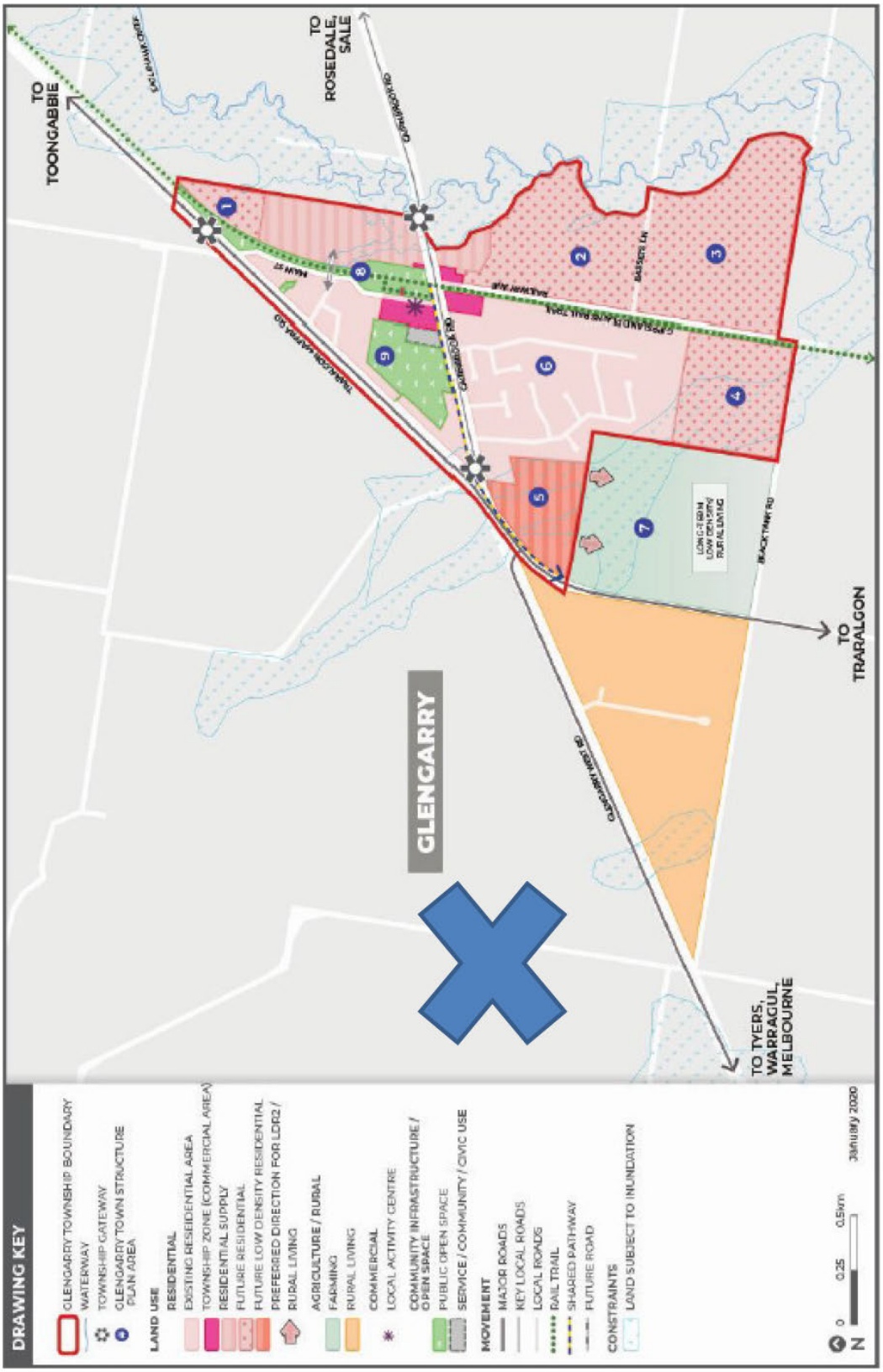
Consider as relevant:

- *Small Town Structure Plans: Boolarra, Glengarry & Tyers* (NBA Group Pty Ltd, 2009)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)

Document Set ID: 2297383
Version: 1, Version Date: 28/02/2022

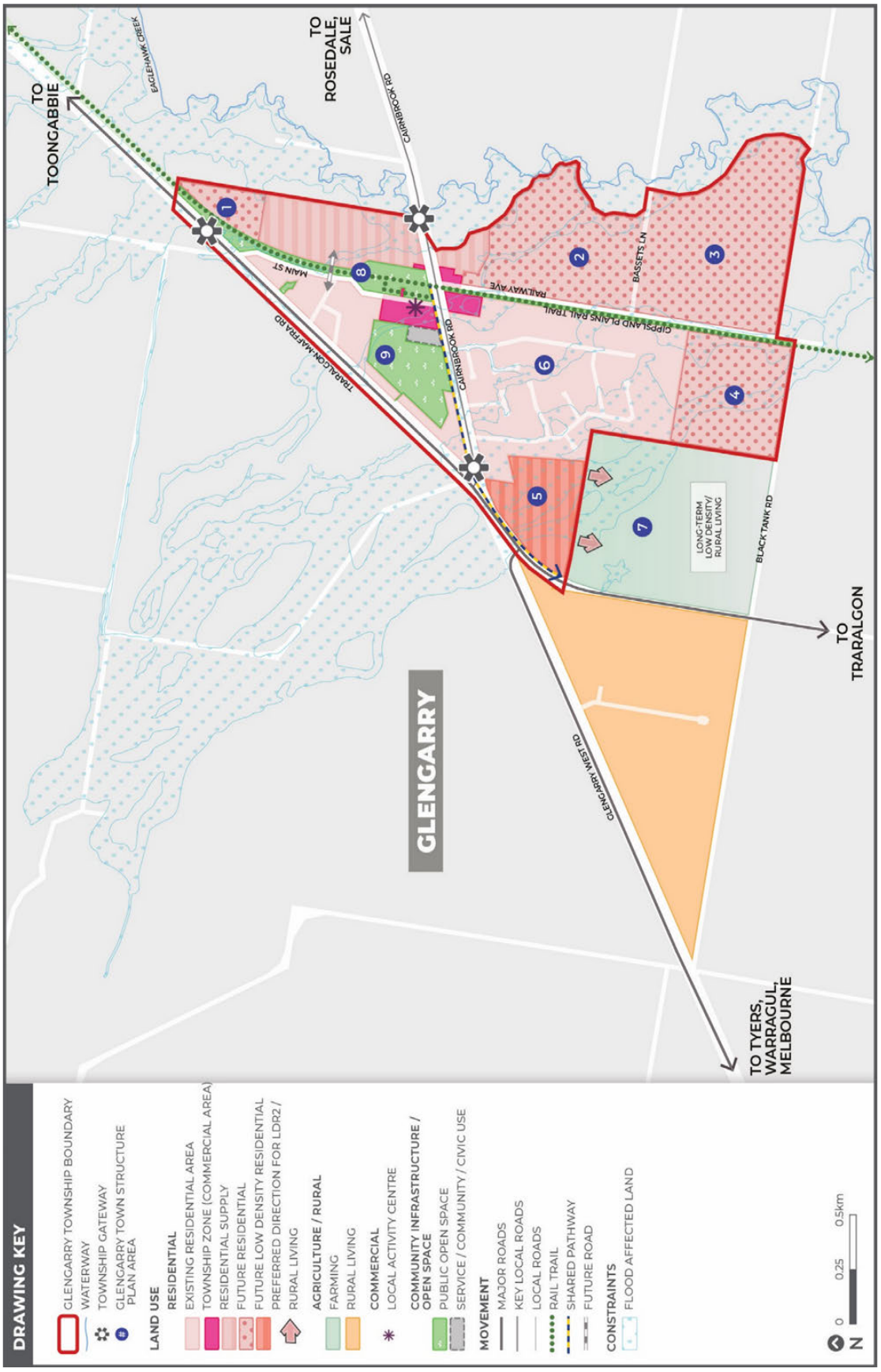
LATROBE PLANNING SCHEME

Glengarry Town Structure Plan (GTSP)



Document Set ID: 2297383
Version: 1, Version Date: 28/02/2022

LATROBE PLANNING SCHEME



Document Set ID: 2297383
Version: 1, Version Date: 28/02/2022

Submission 29

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Submitted on Wed, 2022-03-02 18:30

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

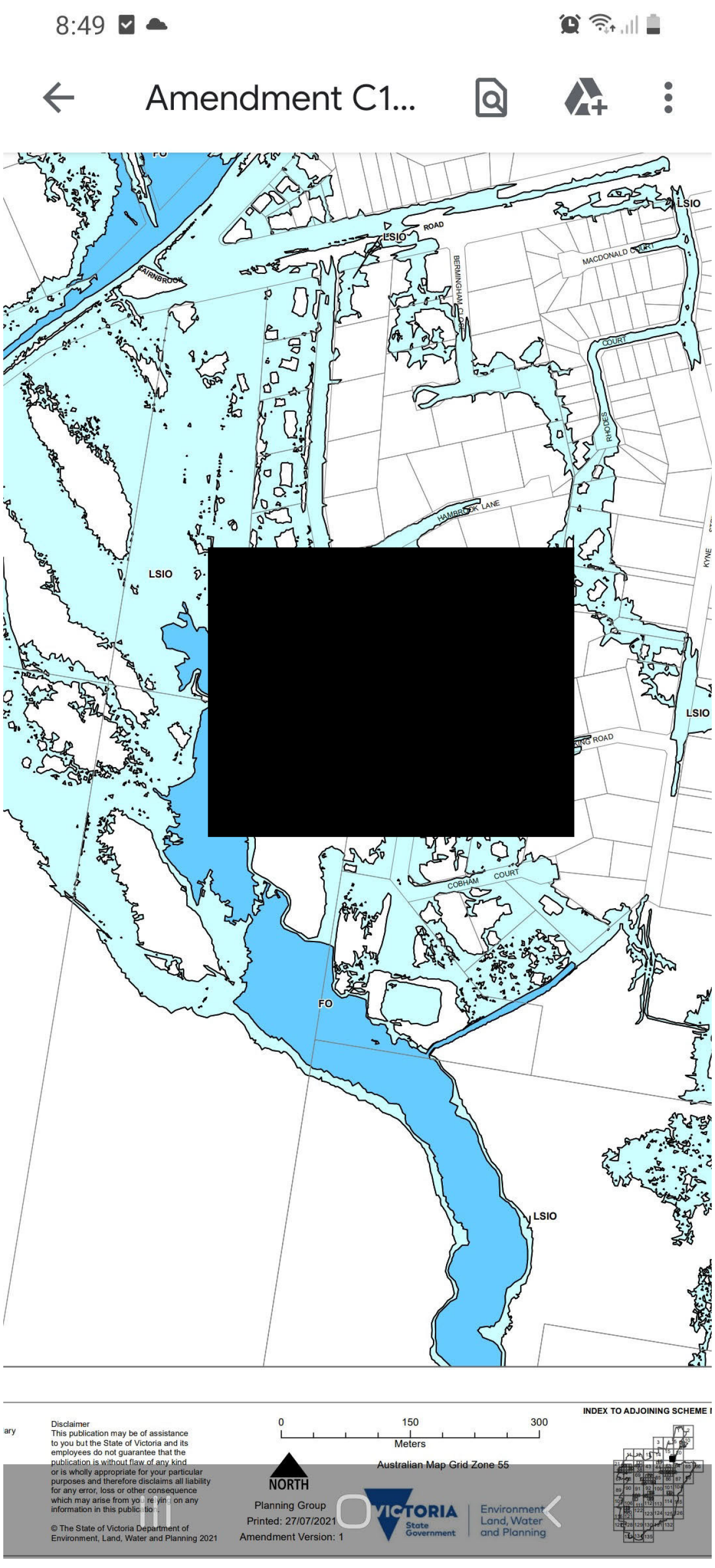
[redacted]

Your Submission

My submission is

In regards to the Latrobe Planning Scheme for the Notice of the preparation of an amendment - Amendment C131latr.
I have reviewed the LSIO map provided around my property [redacted] and believe it to be inaccurate and not up to date. We have only recently built and developed in the past year, and strongly disagree with the proposed amendment due to inaccuracy. Also I would like to know why amendment shows most of our block with LSIO, but area directly [redacted] is lower than our land and remains largely unchanged.
I have attached a screenshot and marked my property with a red circle. I would love to discuss further and happy to meet with council representative to discuss.

[redacted]


8:49
Amendment C1...
LSIO
ROAD
MACDONALD COURT
BERMINGHAM CLOSE
COURT
RHODES
HAMBROOK LANE
KYNE
LSIO
LSIO
KING ROAD
COBHAM COURT
FO
LSIO
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0
150
300
Meters
Australian Map Grid Zone 55
NORTH
Planning Group
Printed: 27/07/2021
Amendment Version: 1
VICTORIA
State Government
Environment, Land, Water and Planning
INDEX TO ADJOINING SCHEME

Submission 30

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Hi [redacted] or Proper Officer.

I am the resident and property owner of [redacted].

I have received notice of the proposed overlay LSIO AM C131,

This letter is to notify Latrobe City that I am not in support of the proposed planning change.
Just to let you know that [redacted] from the water catchment has not called.

I do not believe this overlay is necessary. There are no nearby bodies of water, and the area was not affected in the recent Traralgon Creek event. The properties listed in the overlay are at least a kilometer away from the nearest point of Traralgon Creek.

I would like to request that the overlay amendment affecting Strathcole Drive be cancelled, or at a minimum a deferral so that additional information may be collected.

The reasons for my request are as follows:

1) My property has a gentle slope of about 0.95 - 1 meter from the highest point near the southern side of the back fence to the edge of my property at the Northern side of the front fence. I am in the process of manually surveying the properties on [redacted] with help from other land owners in this area to create a more accurate picture of the area. At present I have made measurements of my own property and found that [redacted] has an average grade of 2.3% between the rear fence line to the front boundary. Additional data from the other properties subject to this amendment will be available shortly.

2) The street itself is lower again by 40-45cm than the front property boundary.
I would like council to supply me with the size and dates of any installation for the storm water pipes that run along my property. The size and depth of the drain pits put in to [redacted]. The building approvals with drainage for business and housing that has been built since the year 2000 onward.

3) I have owned the property since 1994 in that time i have had many rain events that have always flowed out of the property, and never caused any flooding. in 2007 there was 1 rain event that caused my property to be flooded, this was due to a lack of drainage infrastructure and maintenance on the properties that had been approved on the southern end of the area. With the large pits that have been installed in [redacted] and regular cleaning of street gutters we have never had a flood from any rain event since. The water has always flowed along the driveway or spoon drain to Strathcole Drive successfully.

4) This neighborhood is 40 years old. This is a long time for a property to be standing before it gets picked up as land subject to inundation unless something has changed between 1980 and 2022.

5) The overlay will adversely affect the values and costs associated with maintaining these properties.

Thank you for your time,
--

[redacted]

Submission 30b

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From: [redacted]
Sent: Wed, 29 Jun 2022 10:29:46 +1000
To: [redacted]
Subject: FW: Amendment C131 (Flood Overlays Update) - [redacted]
Attachments: image001.jpg, image002.jpg, image003.jpg, image004.jpg, image005.jpg, 0.png, image002.jpg

From: [redacted]
Sent: Wednesday, 15 June 2022 8:29 PM
To: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update) - [redacted]

Hi Aaron.
So long as my property has no overlay of any type on it. I am happy to proceed in dropping the submission to council. Thanks for letting me know
Kind regards[redacted]

On Wed, Jun 15, 2022, 2:58 PM Aaron Burness [redacted] > wrote:

> Hi [redacted]
>
> Thank you for the call. As I mentioned, I am advising you that the WGCMA have reviewed the modelling following public exhibition of Amendment C131. Your lot is no longer expected to be affected by the flood overlays under the amendment.
>
> Attached is an image depicting the new modelling to confirm this. Your property is marked in red highlight, and the updated overlay in yellow.
>
> Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission?
>
> Regards,

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Please note my working hours are as follows:
Wednesday to Friday 8.15am – 4.45pm

Submission 31
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Submitted on Thu, 2022-03-03 09:53

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Confidentiality
Please withhold my name from public documents such as Council reports

Your Submission

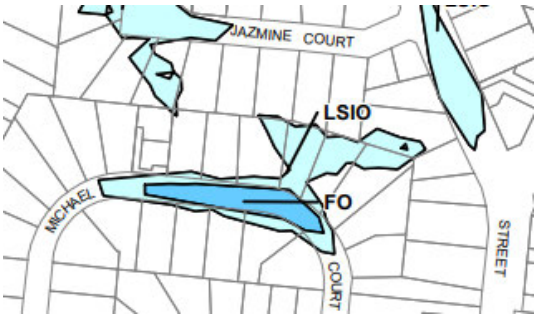
My submission is
This submission relates to amendments to the planning scheme with regard to Flood Overlays and Land Subject to Inundation Overlays in [redacted]

[redacted]

Planning amendment C131 – Flood Overlay

[redacted]

My submission relates to the Flood Overlay and Land Subject to Inundation Overlay for [redacted] Traralgon as detailed in the following diagram.



I have had various discussions with both staff from the Council and WGCMA and have been provided with various documents. From these discussions I am advised that the modelling in the 2016 Traralgon Flood Studt concluded that the drainage system with not sustain a follow event based on the modelling. At no time was I able to obtain a copy of the modelling showing how this conclusion was reached. The following reports were provided to me but only included summary information and no detail on the Flood Overlay for [redacted]

- Traralgon Flood Study 2016
- Traralgon Flood Study – Data Review
- Traralgon Food Study -Hydrology
- Traralgon Folld Study - Hydraulics
- Traralgon Flood Study – Assess and Treat Risk

No information could be provided or was not provided on the following:

- Details in the modelling including assumptions
- The event used in the modelling
- The catchment for this FO and LSIO
- The volume of water required to create the FO or LSIO
- Topography of the area
- Any Council documents detailing the stormwater drainage system could not manage a major rain event
- Details on what capacity the drainage system could manage
- Any reviews that the Council has undertaken on the suitability of the drainage system
- How this area was identified as having water inundation compared with other areas in Traralgon
- Information that the council drainage system is inadequate for this type of event.

As limited information is available to make an assessment, we are therefore led to believe that the modelling is correct even though assumptions have been made with regard to Council stormwater infrastructure. The study was undertaken over 6 years ago and conditions may have change, no physical look at the area has occurred, there is no previous history of this area being inundated as detailed in the study, LIDAR data used in the modelling is over 10 years old, none of the reports have made any reference specifically to Michael Crt., modelling has not taken into account recent substantial rain events e.g. rain event in December 2021 and so on. A small change in modelling assumptions could have the effect of changing the entire outcome.

It needs to be noted that this area has never incurred a food event as is shown on the FO or LSIO. There is no history which can be used to assist the outcomes of the modelling. The modelling has used assumptions on council drainage infrastructure as this information was not available or not provided when the modelling was undertaken. There have been significant rain events that have occurred in the past that should have been used to assist in the modelling. In none of these events did water inundation occur to the level shown on the planning amendment.

The Traralgon Flood Study 2016 detailed that information was provided as part of this study on details of flood information in the form of data and maps. This information could not be located and therefore could not be provided for the [redacted] or LSIO. These reports advised:

Data Tables
Data tables in excel CSV format were provided for the following:

- A list of all properties impacted by the design flood events detailing property location, address and maximum depth of flooding at each property.
- Flood damages for all design events under existing conditions as well as the two mitigation options modelled. This allowed for the average annual damages to be assessed.

Maps
The flood response inundation maps have been produced for a number of design flood events:

Each map includes:

- Flood extent,
- Flood level contour at 1m intervals,
- Depth of inundation,
- Identification of essential services,
- Major Road/street names
- Cadastral base
- Gauge height indication for the Traralgon Creek at Traralgon.

Affected areas
The following shows [redacted] looking east and west and the area in front of [redacted]. which would be totally inundated with water. The volume of water to create this type of inundation would need to be extremely large to cover the areas identified as FO or LSIO.

Looking east with the modelling indicating that this area will be inundated with water plus properties

Looking west with the modelling indicating that this area be inundated with water

Modeling indicates that this area will be inundated with water

Overall Comments

The Flood Study did not include the entire Traralgon Urban area. Therefore the only modelling undertaken relates to this area and not all possible areas that might have flood overlays based on the modelling. The flood study also concentrates on the effect of flooding on the Traralgon Creek with minimal information about stormwater flooding. Some of the diagrams in the reports indicated that the potential of [redacted] flooding goes back to before 2012. Why has there not been any work undertaken to improve stormwater management i.e. increase in the number of stormwater drains in the court.

Details on modelling for [redacted] which show how the FO and LSIO was determined for this area needs to be provided. This include assumptions in the modelling, any reference to past events plus the data sets and maps that were advised in the Flood Study Report for [redacted]

In the case of [redacted] no history is available and therefore whether the area indicated will be flooded or not is unknown. There is no way for the modelling to categorically predict that this will occur as there are many assumptions that have been applied in the modelling.

The modelling in [redacted] does not differentiate the inundation caused by storm water infrastructure and rain run off for the court and properties.

A face-to-face meeting with council and WGCMA officers needs to occur to explain answers to questions and issues raised in this application.

This should be the case for any FO or LSIO that the modelling has indicated for any streets or properties in Traralgon affected by storm water inundation caused by drainage infrastructure.

For [redacted] to be identified as having FO and LSIO planning requirements without having details of the modelling and knowing that this area has had significant rainfall events with the area indicated in the amendment not being inundated to this level is hard to understand. It needs to be noted that [redacted] has had water remaining on the road after a significant down poor but this dissipated nearly as soon as it appeared. Based on what has occurred in the past, it is thought that the area identified as FO is more likely to be LSIO.

Submission 31b

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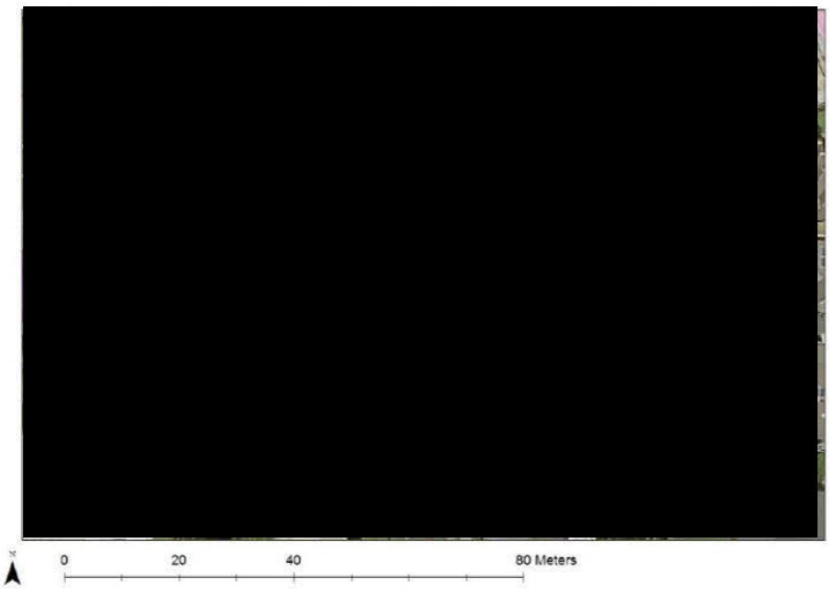
Planning amendment C131 – Flood Overlay
Properties located at [redacted]

Before I start my application the following general observations on the Traralgon Flood Study (2016) are made:

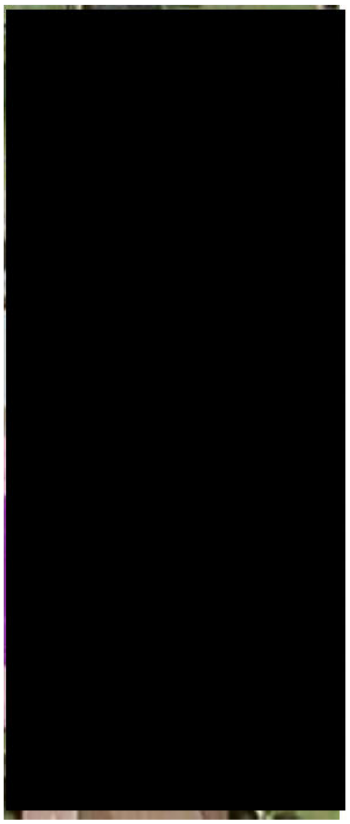
- The flood study does not include all urban areas in Traralgon. What is the reason for this?
- The flood study mainly references the effects of the Traralgon Creek flooding and includes limited information on Traralgon urban inundation based on the inability of drainage infrastructure/surface water to manage a severe rainfall event
- There maybe properties and areas outside the area included in the study that will incur water inundation
- There is no concise definition of LSIO other that it relates to depths less than .3m. a concise definition is required.
- Would a property that has 5 or 10 mm of inundation be defined as having LSIO
- It is thought that if an event of 50mm of rain in 30 minutes occurred, that most property in Traralgon and in fact other areas would have incurred water inundation of less than .3m.
- Modeling is only as good as the information provided and this flood modelling includes many assumptions
- How is modeling applied to properties affected by surface water inundation when the property is not visited? Would not there be a requirement that all properties be visited to ensure that modelling assumptions are correct.
- Does the modeling correctly show areas that will be inundated as in some cases only part of houses are shown as being affected where they are built on a concrete slab.
- The modelling for properties has no history as a basis for this modelling
- Modelling for properties affected by the Traralgon Creek have years of history that can be applied to the modelling.
- Water inundation due to drainage infrastructure not being adequate and surface run off is not clearly detailed on maps showing areas having FO and LSIO.
- No mention has been made in the study as to whether Latrobe Council has done an assessment of modelling on the drainage system
- Latrobe Council has not advised that their drainage system will not handle an extreme event
- Was the same Mannings value used in the modelling applied to all properties. If so, all properties are not the same in relation to obstacles, soil type, vegetation etc.
- LIDAR data cannot be used where properties are covered with trees which possibly eliminates these properties from the modelling
- The study and some information is now more 6 years old and changes may have occurred in this time that could change modelling outcomes.
- Has other towns in Latrobe City had studied undertaken to assess whether properties will be inundated with water due to drainage infrastructure
- LIDAR data used in the modelling is now over 6 years old and the modelling is also over 6 years old.

The following map is provided indicating the main affected properties in [redacted]



The properties shown on this diagram on the north side of [redacted] are numbers [redacted]. Information relating to this application relates to these properties.

[redacted].



The modelling indicates that this property will be inundated with water as shown on the diagram. Inundation at the front of the property relates to the stormwater drain in [redacted]. assessed as not been able to manage the rain event included in the modelling. The water inundation at the rear of the property relates to surface water. The modelling does not indicate whether LSIO relates to the drainage system or surface water.

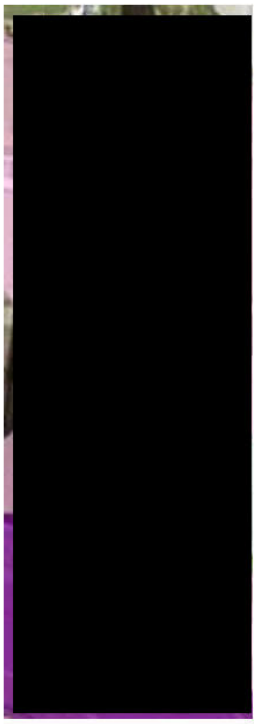
As the site has not been visited and contours on height levels have been assess via LIDAR, the modelling does not know the height of the building, whether the building is on a slab, whether the slab is flat etc. To determine the characteristics of this property and to ensure that the modelling assumptions are correct, a visit needs to occur.

The level of inundation shown (LSIO) is incorrect for this property as it is on a slab that is set above the ground level and the building slab is on two levels. Also, how can a house that is built on a slab only be partially inundated with water. The modelling indicates that only part of the house will be inundated even though it is on a slab foundation.

This photo shows the back yard which is supposed to be inundated. This yard is a confined space with an undulating surface. Where is the water inundation relating to this property being generated from?

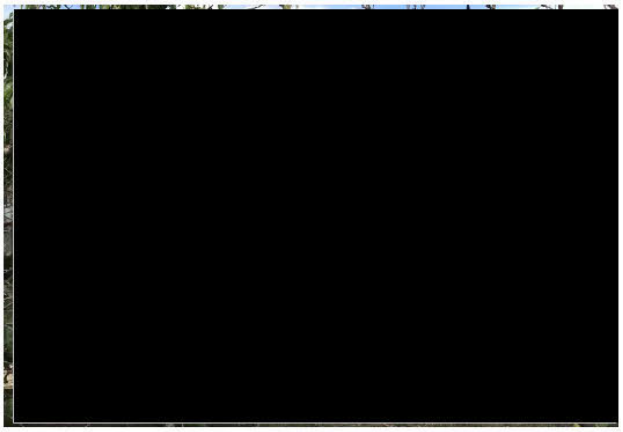
The modelling is only as good as the assumptions made. As no site visit has been made, any obstacles, soil permeability, vegetation etc. has not been assessed in the modelling.

[redacted].

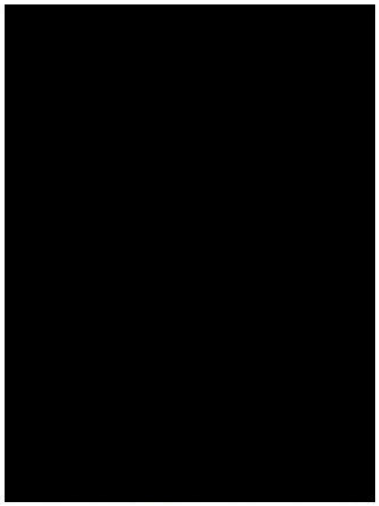


This property will completely be inundated with water. Whether this inundation is caused from the storm water drainage or surface water is not known as the modelling does not differentiate this on the diagram.

What will cause this inundation is not clear. This property is on an undulated block with vegetation and topography that may affect any water residing on the property. The photo below shows the back yard.

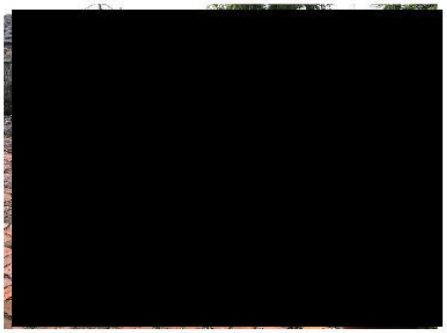


[redacted]



This property will be inundated as shown on the diagram. Again only part of the house is affected even though it is on a slab. Also, the entire backyard is affected. This inundation can only be caused by surface water. It is assumed that this is caused by surface water from [redacted]

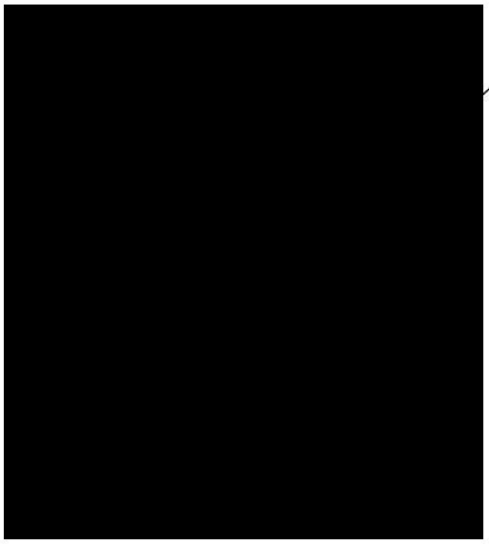
The backyard is undulating and understanding how the surface water inundation will occur is somewhat unknown as the property to the north will not be affected.



This the backyard that will be inundated and to the left is a large shed.

The block is undulating and again how the any surface water that accumulated here that meets the requirements of LSIO is unknown

[redacted]

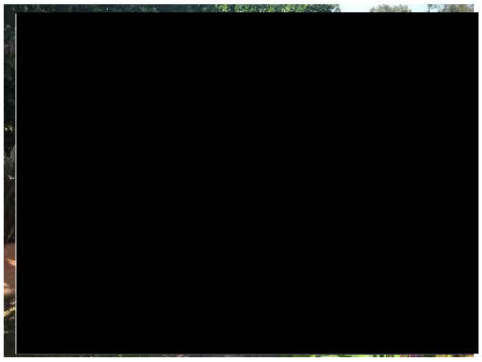


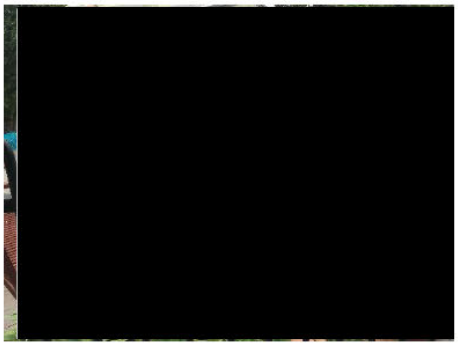
Open drain

This is the least affected property but it is understood that all the runoff from properties [redacted] will end up in the low point located to the north east of [redacted]

In the south east corner of the property to the north is an open drain at the low point which is design to take any surface water that may remain on the ground. This open drain needs to be included in the modelling.

The modelling indicates that water inundation will occur on the north west corner of the building. Again this building is on a slab so why is the whole area not affected.





This modelling indicates that this these areas will be inundated with water and that the open drain will not be able to manage the surface water.

To inundate this area based on the modelling, a large volume of water would need to be in this area. This water would cover the swimming pool which is set down and the back yard.

It needs to be noted that it is thought that at the lowest point that the depth of this water will need to be approximately .38m.

If water reached the north west corner of the building, other areas of the property would also be affected which are not shown by the modelling.

Concluding Comments

The modelling indicates that surface water will occur with the event on all the above properties. The modelling needs to take into account any buildings, structures, vegetation, soil permeability etc. to truly know the impact of the event in the modelling. It would also need to include the open drain.

As no details on the modelling has been provided including assumptions about the capacity of the stormwater infrastructure to handle this event, it is hard to comment on the likelihood of this event occurring.

The questions and observations mentioned in this document need to be answered and details indicated in the Flood Report provided.

Based on viewing the areas affected and the modeling not indicating that all properties in the vicinity will be affected by inundation, it is hard to understand how the modelling has come to the conclusion. As previously mentioned, modelling is only as good as the information provided at the time to make an assessment.

These properties have never been inundated as shown on the LSIO modelling. This study occurred over 6 years ago and conditions may have change over this time. Also, significant rain events have occurred with no inundation on these properties as detailed in the LSIO. The latest being in December 2021. There has been no mention as to the effect of these past rain events in any of the reports. It is thought that these events need to be mentioned in the report and what inundation occurred.

All urban areas in Traralgon were not included in the Flood Study and this leads to the point as to whether all properties are being treated the equally.

I believe a face-to-face meeting needs to be organized with council and WGCMA officers to discuss items in this document as well as information provided on the modelling specific to these properties.

Submission 31c

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From: [redacted]
Sent: Wed, 29 Jun 2022 10:35:31 +1000
To: [redacted]
Subject: FW: Amendment C131 (flood overlays) - Update

From: [redacted]
Sent: Tuesday, 14 June 2022 4:14 PM
To: [redacted]
Subject: RE: Amendment C131 (flood overlays) - Update

Hi [redacted]

As [redacted] and properties in [redacted] are no longer included in Amendment C131 (flood overlays), I confirm that I no longer wish to proceed with my submission.

Regards

[redacted]

From: [redacted]
Sent: Tuesday, 14 June 2022 10:01 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Amendment C131 (flood overlays) - Update

Hi [redacted]

The WGCMA have provided us with their updated mapping. The overlays now proposed under this amendment are shown in orange (Floodway overlay) and yellow (Land Subject to Inundation Overlay) below. As you can see, your property (highlighted in red) has been removed from the proposed flood overlays area.

Given the changes to the mapping and impacts on your property, can you please kindly confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied and wish to withdraw your submission? Happy to discuss.

Thanks

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

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Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [redacted]
Sent: Friday, 10 June 2022 5:27 PM

Document Set ID: 2343816
Version: 1, Version Date: 29/06/2022

To: [redacted]
Subject: RE: Amendment C131 (flood overlays) - Update

Hi [redacted]

Thank you for following up on my submission.

I will wait until I receive the updated mapping. If this is not received before next week's special council meeting should I still attend this meeting.

Regards

[redacted]

From: [redacted]
Sent: Friday, 10 June 2022 3:27 PM
To: [redacted]
Cc: [redacted]
Subject: FW: Amendment C131 (flood overlays) - Update

Hi [redacted]

Please note that [redacted] has gone on leave for the next few weeks. I have been in contact with the WGCMA who have confirmed that your property at [redacted] will be removed from this amendment and the modelling reviewed at a later date.

We'll provide you with the updated mapping next week and confirm whether your concerns are addressed by this change, or if you wish to progress with your submission objecting to the amendment.

Kind regards

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm
Thursday and Friday from 7.00am to 8.15am and 8.45am to 4.00pm

From: [redacted]
Sent: Thursday, June 2, 2022 5:42:24 PM
To: [redacted]
Subject: RE: Amendment C131 (flood overlays) - Update

Hi [redacted],

At this meeting will questions that still have not been answered by WGCMA in emails that I have forwarded to them be addressed as well as questions in my submission directed to Council.

Regards

[redacted]

From: [redacted] r [redacted]
Sent: Thursday, 2 June 2022 5:17 PM
Subject: Amendment C131 (flood overlays) - Update

Good afternoon,

Please find attached an invitation for an upcoming meeting for Amendment C131.

Kind regards,

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Document Set ID: 2343816
Version: 1, Version Date: 29/06/2022

Submission 32

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From: [redacted]
Sent: Wed, 02 Mar 2022 15:51:30 +1100
To: Latrobe Central Email
Subject: Amendment C131 - CS 001040 / [redacted] Proposed Flood Overlay
Attachments: Letter Latrobe Planning Scheme Amendment.pdf, Proposed Flood Overlay - Amendment C131.pdf, Current Flood Overlay.pdf

Hi Strategic Planning

Please refer to the below objection from the owners of this complex.

There was no reported damage or impact to this property with the recent flood events in Traralgon.

As such, there is no reason to extend the flood overlay to include this address.

We respectfully request you do not include this property in the new flood overlay map.

Regards,

[redacted]

[redacted]

Document Set ID: 2298709
Version: 1, Version Date: 03/03/2022

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Owner corporation plan No. [redacted] for [redacted] a current Latrobe planning scheme amendment (see the attached letter which has been distributed to all body corporate owners via Council) which proposes to include [redacted] and associated properties in a new flood overlay. See attached Proposed Flood Overlay and Current Flood Overlay.

Unless we act this proposed flood overlay will affect the value our body corporate insurance as well as property values, **it may also mean that the body corporate and individual owners are unable to insure.**

Note we only have until the 7th of March to submit an objection to the amendment.

1. The owners of this property object to the amendment, particularly as some owners have lived at the address for over 20 years and they can not recall any times water has entered the grounds.
2. This written submission to strategic planning on behalf of the Owners Corporation objecting to the proposed amendment C131, and proposing to amend amendment C131 including planning scheme maps 56LSIO-FO to exclude [redacted] from the flood overlay.

Owners have owned these units since before 2005 and they have observed flood water levels further down the street during some major flood events, but in this time period, they have never seen water enter the grounds, during any flood event. This includes the most recent major floods in June 2021 whereby an all-time record Traralgon Creek flood level was observed (5.76m).

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Latrobe City ABN 92 472 314 133
Phone 1300 367 700
TTY (NRS) 133 677

PO Box 264 Morwell 3840
Email latrobe@latrobe.vic.gov.au
www.latrobe.vic.gov.au
AUSDOC DX2 17733 Morwell

Ref No: C131
MT:JO

31 January 2022

[redacted]

Dear Sir/Madam,

LATROBE PLANNING SCHEME, AMENDMENT C131 (FLOOD OVERLAYS) - NOTICE OF PREPARATION OF AN AMENDMENT UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Latrobe City Council has prepared Amendment C131 to the Latrobe Planning Scheme, which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

The amendment affects 65,614ha of land within the Latrobe municipality which is within proximity of the Latrobe River and the Traralgon Creek, and considered to be at risk of flooding.

The Amendment seeks to:

- Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan;
- Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP);
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping;
- Deletes Planning Scheme Maps LSIO-FO Map Nos. 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, and 52LSIO-FO;
- Amend Planning Scheme Maps LSIO-FO Map Nos. 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111LSIO-FO, 112LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO.

Document Set ID: 2298709
Version: 1, Version Date: 03/03/2022

- Inserts Planning Scheme Maps LSIO-FO Map Nos. 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71LSIO-FO, 76LSIO-FO, and 112LSIO-FO.

We are writing to you because you may be affected by the proposed amendment. According to Latrobe City Council records you own and/or occupy land that has been identified as being of interest in regards to the contents of the proposed Planning Scheme Amendment.

Enclosed with this letter is the formal notice of the amendment which is being sent in accordance with Section 19 of the *Planning & Environment Act 1987* (the Act).

Full details of the amendment can be found on Latrobe City Council's website: https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments

Or you may inspect the amendment documentation at the following locations:

- 141 Commercial Road, Morwell Vic 3840,
- 34-38 Kay Street, Traralgon Vic 3844,
- 1-29 George Street, Moe VIC 3825,
- 9-11 Phillip Parade, Churchill VIC 3842
- At the Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection

The amendment will be on public exhibition from 3 February 2022 to 7 March 2022 and this is your opportunity to make a submission to the proposed Amendment.

Officers are available to discuss the amendment via Zoom information sessions. To schedule a 1:1 Zoom meeting with a Council Planner at one of these sessions, please contact Strategic Planning on 1300 367 700 or email StrategicPlanning@latrobe.vic.gov.au

Information sessions are scheduled for:

- Monday 7 February, 10am-7pm
- Wednesday 9 February, 11am-7pm
- Monday 14 February, 11am-7pm
- Wednesday 16 February, 10am-7pm
- Tuesday 22 February, 10am-7pm

Any person may make a submission about the amendment, please note that the closing date for a written submission is 7 March 2022. A submission may be in support or not in support of the proposed amendment; additionally, a submission can just provide general feedback/comments for consideration. If you do make a submission, please be sure t specify which amendment your submission applies.

All submissions must be sent to:

Attention: Strategic Planning

Latrobe City Council

PO Box 264

MORWELL VIC 3840

Alternatively, submissions can be sent to Latrobe@latrobe.vic.gov.au

Please note that all submissions in relation to Amendment C131 are being collected by Latrobe City Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987* (the Act). If you do not provide your name and address, Latrobe City Council will not be able to consider your submission.

Your submission will be available for any person to inspect during office hours free of charge for a period of two months after the amendment comes into operation or lapses. Copies of your submission may also be made available on request to any person for the relevant period as set out in the Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.

If you require further information, please contact Miriam Turner on phone 0429 394 376 or email miriam.turner@latrobe.vic.gov.au

Yours sincerely

[redacted]

[redacted]

Document Set ID: 2298709
Version: 1, Version Date: 03/03/2022

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

Notice of the preparation of an amendment

Amendment C131latr

The Latrobe City Council has prepared Amendment C131latr to the Latrobe Planning Scheme.

The Amendment applies to 65,614ha (Vic Map data) of land within the Latrobe municipality which is within proximity of the Latrobe River and the Traralgon Creek, and considered to be at risk of flooding.

The Amendment implements the recommendations of the Latrobe River Flood Study (2015) and the Traralgon Flood Study (2016) into the Latrobe Planning Scheme. The Amendment proposes to Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan, Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP), and Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping,

The Amendment amends Planning Scheme Map Nos 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 52LSIO-FO 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111LSIO-FO, 112LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO in the manner shown on the 158 attached maps marked "Latrobe Planning Scheme, Amendment C131".

The Amendment inserts new Planning Scheme Map Nos 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71LSIO-FO, 76LSIO-FO, and 112LSIO-FO in the manner shown on the 12 attached maps marked "Latrobe Planning Scheme, Amendment C131".

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the Latrobe City Council website at https://www.latrobe.vic.gov.au/HaveYourSay and https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments; and during office hours (inspection of documents may be subject to COVID-19 restrictions and requirements), at the following locations:

- Corporate Headquarters, 141 Commercial Road, Morwell VIC 3840;
- Traralgon Service Centre, 34-38 Kay Street, Traralgon VIC 3844;
- Moe Service Centre, 1-29 George Street, Moe VIC 3825;
- Churchill Service Hub, 9-11 Philip Parade, Churchill VIC 3842; and

- at the Department of Environment, Land, Water and Planning website: www.delwp.vic.gov.au/public-inspection.

Any person who may be affected by the amendment may make a submission to the planning authority about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

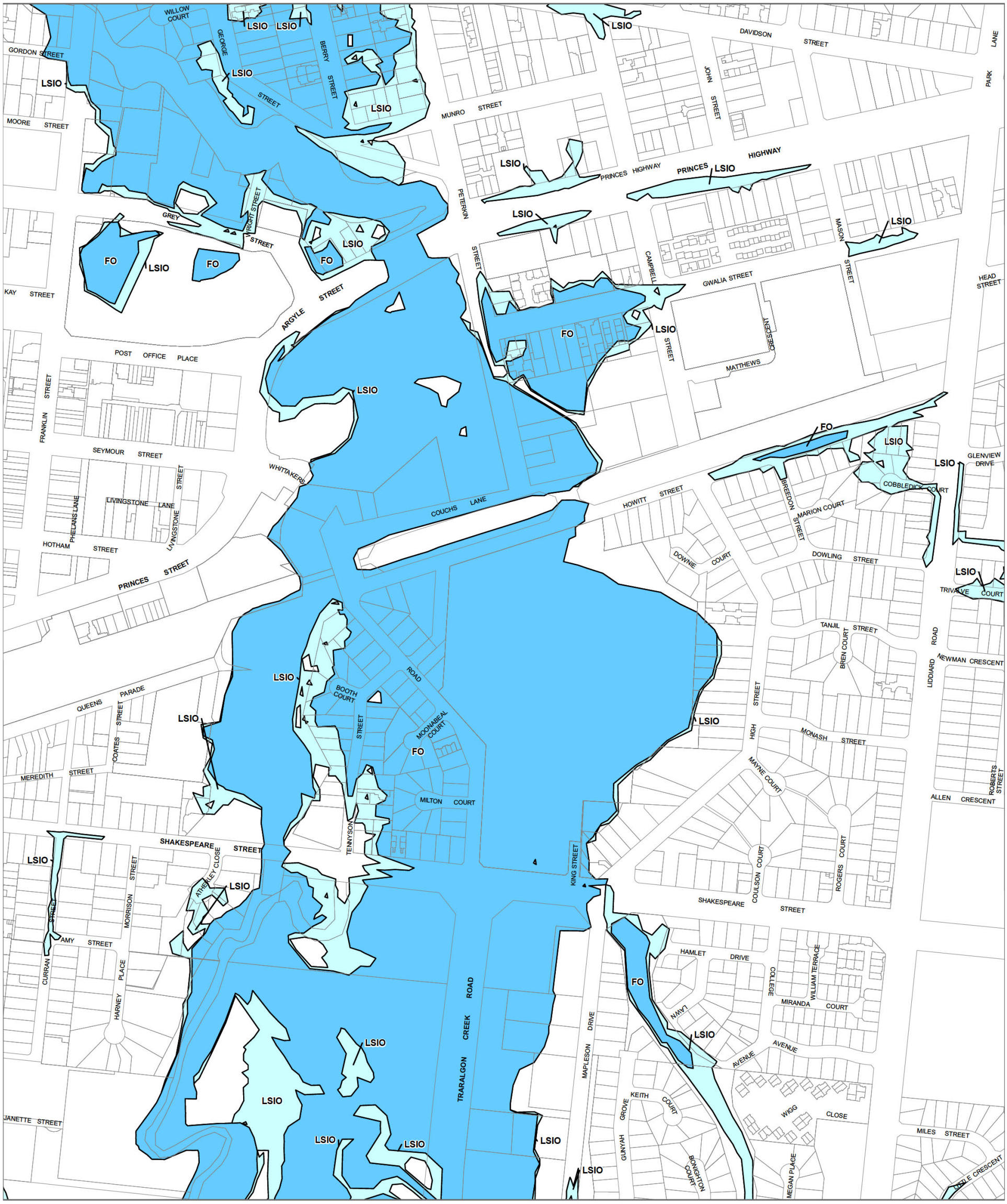
Name and contact details of submitters are required for council to consider submissions and to notify such persons of the opportunity to attend council meetings and any public hearing held to consider submissions. The closing date for submissions is 7 March 2022. A submission must be sent to the Latrobe City Council, Strategic Planning, PO Box 264, Morwell, VIC, 3840 or Latrobe@latrobe.vic.gov.au - Attention: Strategic Planning

The planning authority must make a copy of every submission available at its office for any person to inspect free of charge for two months after the amendment comes into operation or lapses.

STEVEN PIASENTE
Chief Executive Officer

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

Municipal Boundary

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0 150 300
Meters

Australian Map Grid Zone 55

NORTH

Planning Group
Printed: 27/07/2021
Amendment Version: 1

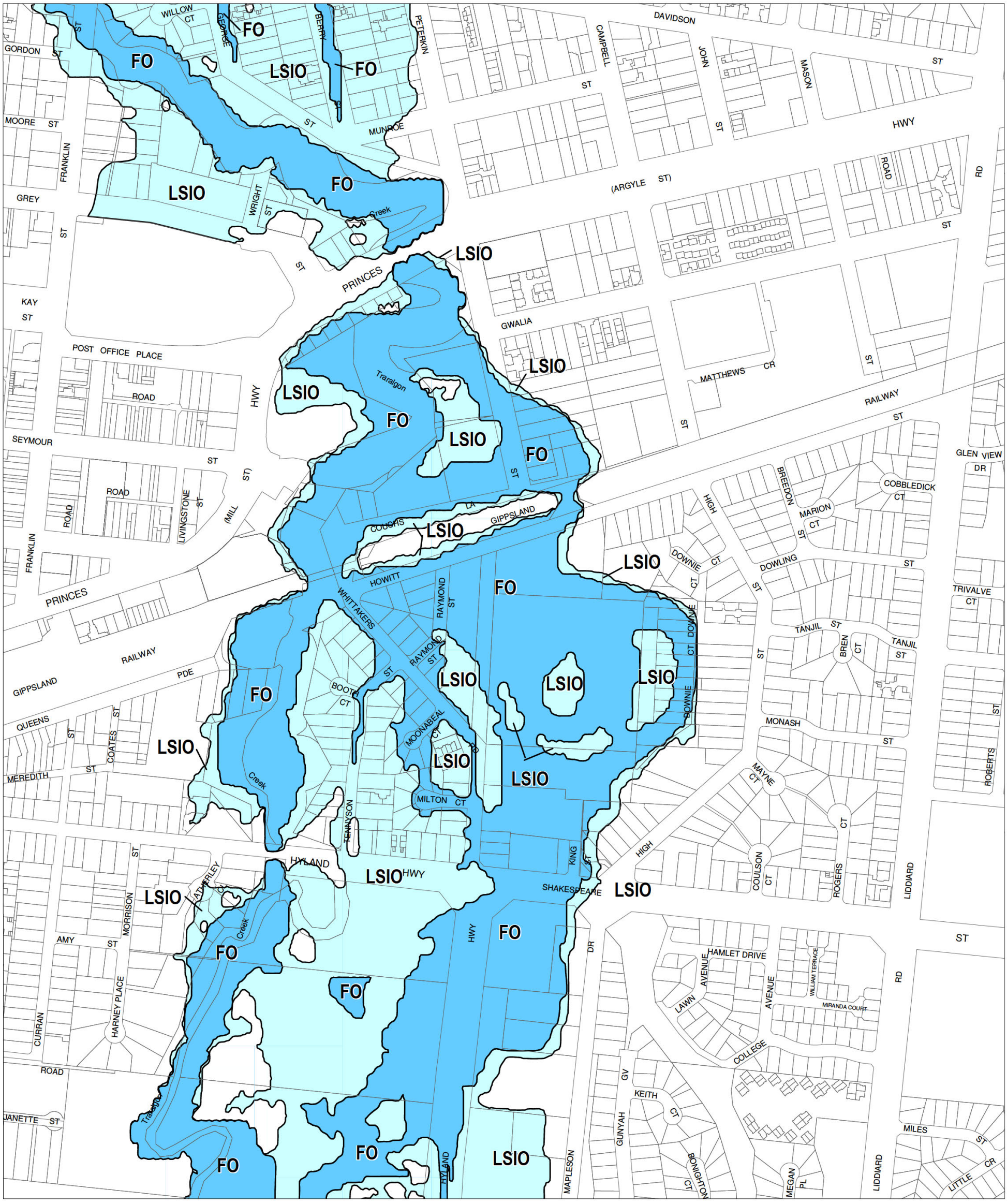
VICTORIA State Government | Environment, Land, Water and Planning

INDEX TO ADJOINING SCHEME MAPS

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 56LSIO-FO**

Document Set ID: 2298709
Version: 1, Version Date: 03/03/2022

LATROBE PLANNING SCHEME - LOCAL PROVISION



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This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Overlays

FO Floodway Overlay

LSIO Land Subject To Inundation Overlay

100 0 100 200 300 m

AUSTRALIAN MAP GRID ZONE 55

N

State Government Victoria

INDEX TO ADJOINING METRIC SERIES MAP

Printed: 10/8/2012

AMENDMENT C9

LAND SUBJECT TO INUNDATION & FLOODWAY OVERLAY

MAP No 56LSIO-FO

Document Set ID: 2298709
Version: 1, Version Date: 03/03/2022

Submission 33

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From: [redacted]
Sent: Wed, 02 Mar 2022 08:57:12 +1100
To: Latrobe Central Email
Subject: Submission to Latrobe City re Amendment C131 from [redacted]
Attachments: Submission to Latrobe City re Amendment C131 from [redacted].pdf

[redacted] attached a document

[redacted] has attached the following document: Learn more.

Strategic Planning

Submission to Latrobe City re Amendment C131 from [redacted]

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ID: 2298511

2 March 2022

[redacted]
Strategic Planner
Latrobe City

RE: Amendment C131 – Proposed amendment to Latrobe Planning Scheme

Dear [redacted]

I refer to your letter dated 31 January 2022 (Ref C131, MT:JO).

My residence is located at [redacted], and is partially covered by the flood overlay as found by the flood studies.

A portion of my property has experienced localized and low-level inundation due to a blocked adjacent 600mm drain. The flood overlay indicates that the same small area of my property is also subject to general flooding from the Latrobe River/Traralgon Creek. How could this be? The probability that the extent of inundation of Rhode Court and my property due to poorly maintained and obstructed drainage to be the same as that caused by floods in the Latrobe River-Traralgon Creek is most unlikely.

I understand that floodplain management does include a number of strategies such as flood warning systems and planning scheme controls but also flood mitigation infrastructure works such as retarding basins, levees and of course effective drainage.

My concern is that the flood modelling and mapping studies have not taken into account the neglectful and deliberate disregard for the proper upkeep of the existing local drainage pipe network. For example, the drain that runs along my property's south-east boundary is known, by Council, to be broken and blocked by roots from Gum trees planted on top of the drain. The Council attended a blockage in the last 12 months following localized flooding, but merely undertook a root cut of 450mm diameter that at best only allows 50%-55% flow capacity, and, at worst prevents drainage flow altogether after an 18-month period when the tree roots have regrown and fully blocked the pipe again. This maintenance strategy adopted by Council has adverse impacts on our neighbourhood.

The drainage water in [redacted] cannot escape when the drain along the boundary of my property is blocked. The flooding is also compounded by the blocked drains in Kyne Street and further down stream from [redacted]

Have the flood studies taken this neglect of the drainage network into account? Or, are the studies mainly based on previous high-water marks? Either way, the flood studies are in error.

It would appear from the experience of my property that it would not have a flood overlay if the drainage pipework was well maintained to ensure 100% drainage flow capacity. Broken drains should be replaced, not merely root cut. I am well aware of the environmental importance and benefits of trees, but it is not appropriate to save a handful of offending trees that cause severe obstruction to flood flows and the unnecessary inundation of tens or hundreds of additional homes and the associated loss of land values and increased insurance premiums. The consequential cost and

environment damage of flooding can be enormous and in my observation of Rhode Court is readily avoidable. We need to get the balance right; replace the existing defective drainage pipework, remove the problems trees, that will then minimize the land subject to flooding as well as the costs incurred by the Glengarry community and in particular by the residents of [redacted].

Before the proposed Amendment is adopted, and to be fair to the residents of [redacted] action is needed to:

1. Remove the problem trees and plant new trees away from the drainage pipe network;
2. Replace the damaged and broken pipes to restore 100% drainage capacity; and
3. Upgrade and enlarge the drainage inlet works; for example, the inlet opening that accepts all the drainage and flooding from Rhode Court is only 1050mm x 70mm.
4. Clean all drains down stream

This action would remove the localized drainage flooding of [redacted] and thereby remove the flood overlay.

A well maintained drainage system clear of tree roots and other obstructions should be a priority to any flood mitigation plan before a flood overlay can be put into place.

I would appreciate your co-operation in this matter with a written response and answers to my concerns.

Yours sincerely

[redacted]

[redacted]

[redacted] ID: 2298511

[redacted]

Submission 34

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From: [redacted]
Sent: Mon, 28 Feb 2022 17:34:28 +1100
To: Latrobe Central Email
Subject: Flood Study letter to council
Attachments: letter to council re flood study.doc

Hi , Strategic Planning Department
Attached is my feedback for your Proposed Amendment c131.
Regards
[redacted]

[redacted]

[redacted]

Document Set ID: 2297862
Version: 1, Version Date: 01/03/2022

[redacted]

Date:28-2-22

To: Latrobe City Council
Attention Strategic Planning Department Latrobe@latrobe.vic.gov.au

Hi,

In regard to your proposed amendment c131 of a flood study which covers the area of [redacted] where I live.

Firstly I object to our area being classed as a flood prone area.For me to be effected by water inundation from Traralgon Creek the creek would have to rise 50 metres plus, in which case half of Traralgon would be under water. My area has been affected by surface water inundation once in 2007 and then in 2010. Ten years later the council undertook major works in Hourigan Park behind me by lowering all the paths and laneways and also unblocking stormwater drains which were blocked from lack of maintenance.Both flooding issues were caused by stormwater and drainage being inadequate and not the creek rising. I believe if you reclass the area as flood prone home insurance costs will rise and be harder to obtain.

Has Council ever considered obtaining the vacant land on the corner of Hyland Highway and Shakespeare st for a catchment basin for storm surges ?

I believe council is using this study to reclassify the area and then sidestepping future litigation. We have had major storms since the works were done and there were no issues.

Regards
[redacted]

Submission 34b

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From: [redacted]
Subject: FW: Amendment C131 (Flood Mapping Update) - [redacted]
Date: Wednesday, 21 September 2022 10:36:14 AM

From: [redacted]
Sent: Tuesday, 30 August 2022 6:19 PM
To: [redacted]
Subject: RE: Amendment C131 (Flood Mapping Update) - [redacted]

Hi [redacted],
Thanks for the information and I still do object to the flood overlays as I believe they are caused by surface water . Main reason being no problems after all drainage works in area and also once insurance companies know this insurance goes up.
Regards
[redacted]

[redacted]

From: [redacted]
Sent: Sunday, 28 August 2022 11:26 AM
To: [redacted]
Subject: Amendment C131 (Flood Mapping Update) - [redacted]

Good morning [redacted]

Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.

Following further investigation the proposed LSIO has been reduced and updated mapping has been completed for this site.

Attached is a map of the new LSIO-FO overlays near your property at [redacted]. As you will see, the proposed overlay has been removed from your property.

For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.

[redacted]

Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Kind regards,

[redacted]

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

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Submission 34c

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From: [redacted]
Subject: Amendment C131 Letter
Date: Tuesday, 18 October 2022 11:06:15 AM
Attachments: Latrobe C131latr lsio-foMap61 Approval.pdf
[redacted].pdf

From: [redacted]
Sent: Tuesday, 18 October 2022 7:46 AM
To: [redacted]
Subject: FW: Amendment C131 Letter

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Good morning [redacted]

Thank you for all your assistance in this matter and for organising the meeting yesterday at Council, the attachments and also for forwarding the link to the West Gippsland Catchment Management Authority website.

We are satisfied with the new proposed overlays removing our property, and are happy to withdraw our submission.

Kind regards,

[redacted]

From: [redacted]
Sent: Monday, 17 October 2022 3:06 PM
To: [redacted]
Subject: Amendment C131 Letter

Good afternoon [redacted],

Thank you for meeting earlier today.

As discussed, please find attached a letter regarding the flood amendment and your property. To obtain free written flood advice from the West Gippsland Catchment Management Authority, please go to this website: https://www.wgcma.vic.gov.au/flood-advice/flood-advice-request-form

Can you please respond to this email and advise if you are satisfied that the proposed overlays have been removed from your property and wish to withdraw your submission? Only once we have something in writing, can we formally withdraw it.

Submission 35

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From: [redacted]
Sent: Mon, 28 Feb 2022 16:50:09 +1100
To: Latrobe Central Email
Subject: RE: C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)
Attachments: To whom it may concern.pdf

To whom it may concern, please see attached a letter with our concerns regarding **RE: C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO)**

Regards

[redacted]

[redacted]

Please consider the environment before printing this e-mail notice

To whom it may concern,

We are sending this letter, to voice our objection to the “Latrobe Planning Scheme”, RE: C131 Amendment - Land Subject to Inundation Overlay (LSIO)& Floodway Overlay (FO), which has recently been brought to our attention by other locals in the community. A proposal, which seems to be rather difficult for us to find any information on, and appears to affect me and my family, and a number of our neighbors.

Unfortunately it would appear that this has been proposed, using zero consultation with affected landowners, which it has the potential to impact dramatically.

[redacted] with our 3 daughters, about 5 and a half years ago, in which time we have undertaken an extension and numerous renovation, in order to make the property a place that we all love, where we want to stay.

The uncertainty of what appears to be happening is making us quite anxious, and would greatly appreciate some advice or guidance as to what we can expect going forward. I can be contacted at any time on [redacted]

Regards,

[redacted]

From: [redacted]
To: [redacted]
Subject: RE: Amendment C131 - Submission Withdrawal
Date: Saturday, 23 December 2023 9:44:18 AM
Attachments: image001.jpg
image002.jpg
image003.jpg
image004.jpg
image005.jpg
image006.jpg
image007.png

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Hi [redacted]

Thanks for the phone call the other day.

As discussed on the phone, I am happy to withdraw any objections to Amendment C131.

Regards

[redacted]

From: [redacted]
Sent: Wednesday, December 20, 2023 12:53 PM
To: [redacted]
Subject: Amendment C131 - Submission Withdrawal

G'day David,

Thank you for the call today.

If you would like to submit in writing your withdrawal to Amendment C131, you may reply saying so to this email.

Thank you,

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

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Submission 36

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From: [redacted]
Sent: Mon, 28 Feb 2022 22:07:37 +1100
To: Latrobe Central Email
Subject: Submission concerning proposed amendment C131
Attachments: Objection to amendment C131.pdf

Attention: Strategic Planning, Latrobe City Council
please find attached my submission concerning the proposed amendment C131
Please advise me that you have received this submission.
Thankyou
[redacted].

Document Set ID: 2297775
Version: 1, Version Date: 01/03/2022

Attention: Strategic Planning

Latrobe@latrobe.vic.gov.au

Submission concerning proposed amendment C131

Hi,

My name is [redacted]. I do not support this proposed amendment in its current form.

If my understanding is correct, our property is not directly at risk from flood waters. We live a relatively long distance from Traralgon Creek and are a lot higher in elevation relative to many other properties. Modelling suggests that at the time of a 1 in 100 year flood event, the storm water drains in our area will bank up and flow back out onto the streets. This will occur in a lot of places without detriment as the water will flow down the streets and make its way back into the flood waters. However there are some pockets of depression across the housing estate where the water flowing back out of the storm water drains cannot flow away quickly and it appears that our property is located in one of these areas.

I believe the areas of depression that may be subject to inundation are a completely separate issue to Traralgon Creek flooding and should not be part of this amendment. Flood waters associated with Traralgon Creek are natural events, the force of which cannot be controlled by human intervention. Land subject to inundation within a proposed housing development should have been planned for, should have been controlled, and may still be controlled. The overlay on [redacted] has less to do with a natural event and more to do with poor planning which is a separate issue, which is the responsibility of Latrobe City and this responsibility should not be confused with or lost within an amendment about flood waters.

I even question the accuracy of predicting inundation events as compared with flood events. We lived in nearby [redacted] for many years and it would be inundated after heavy rain yet it does not have an overlay. [redacted] has never been inundated and I'm not aware of any records of inundation prior to development. Seems a bit inequitable?

When purchasing our block of land, our solicitor informed us that, "In the opinion of the Latrobe City Council, the land is not subject to flooding nor has it a designated flood level pursuant to the Building Regulations 1994."

There are other residents in Traralgon who are situated within depressions, who must therefore be exposed to some risk of inundation who do not have an overlay affecting their property. Why is this? Perhaps it's because the standard is based on a 1 in 100 year event, not a 1 in 200 year event for example. So if the standard is 1 in 100, why didn't Latrobe City ensure the storm water drainage was designed to this standard or the land was contoured to allow drainage? If the standard is 1 in 100 and our storm water drainage does not meet that standard, surely Latrobe City has a responsibility to fix it and not just ignore it via a new overlay?

I don't think this proposed amendment is fair. I think Latrobe City have a responsibility to fix the drainage, not hide behind an amendment. Latrobe City approved the development. Latrobe City informed us that we were not at risk from flooding. There should be no overlay applied to [redacted] until Latrobe City has made a genuine attempt at fixing the issue. One way to do this would be to form a working group that includes some of the impacted residents to explore all possible solutions.

Thank you for the notification of this amendment and for the time taken by people to provide information, and for the opportunity to provide feedback.

Yours sincerely

[redacted]

[redacted]

28 / 02 / 2022

Submission 36b

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From: [redacted]
To: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update)- [redacted]
Date: Tuesday, 26 July 2022 8:02:07 PM

Hi [redacted]
I apologise for such a late response. Like everyone else it seems, I got very busy at work and totally forgot to respond. I will withdraw my objection to the proposed amendment but would like to put on the record that my main point was not to dispute the reports findings but rather to express concern that Latrobe City as the regulator allowed residential development to occur on land not suited for that purpose due to drainage issues. I bought this land and built our home in good faith that Latrobe City as the regulator would ensure proper planning of residential developments would occur.
Thankyou for keeping me informed and allowing me to provide my view.
[redacted]

Submission 37

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From: [redacted]
Sent: Mon, 28 Feb 2022 13:20:30 +1100
To: Latrobe Central Email
Subject: Strategic Planning Re-Amendment C131
Attachments: Flood Study Traralgon Creek.docx

Please find attached submission re- amendment C131

Document Set ID: 2297634
Version: 1, Version Date: 28/02/2022

[redacted]

Submission on Amendment C131 - Reference to Map No 49LSIO-FO

Liability Concerns: -

I am surprised that an Authority has produced a plan that clearly shows it has failed its duty of care under the Subdivision of Land Act.

Under the requirements of the Subdivision of Land Act, the developer is required to submit a plan of the development to the Responsibility Authority demonstrating that a 1 in 100 (1%) flood flow can pass through the development. That flow shall not cause risk of inundation of proposed dwellings.

Map NO 49LSIO-FO shows that this requirement has not been met in a number of locations.

Comments on the Problem:-

Ideally the flood flow should be located in roadways and drainage reserves.
Here again the Authority of the day failed in its duty of care.
The original Plan for the development had a Roadway opposite [redacted]
to the pipe track which matches the current alignment of [redacted]
This would have permitted the 1% flow to pass north to the pipe track and then Traralgon Creek flood path.

If this had been designed properly with the appropriate grades of roadways and drainage, none of the problems in this area would have occurred.

The flooding that has occurred in the oval area to the north of Bradman Boulevard indicates to me that the levels used in the computer modelling are not right, as well as those in [redacted]

I am aware that computer modelling of stream flow requires the model to be calibrated by a number of factors which are determined by the condition of the stream banks and surrounds which affect the levels produced in a computer model. Normally the model is calibrated by adjusting these factors to match known observed events that have occurred in the stream.

The Responsible Authority should ensure that waterways are maintained in a clear and unobstructed condition reflected in the modelling.

Inappropriate planting on banks can cause obstructions during periods of high flows causing flood levels to rise. These plants are often seen wrapped around bridges and tree trunks after flood events, as seen in the Traralgon Creek after recent flooding.
Maintenance along the Creek is very low. Banks are being undercut, fallen trees are left in the creek, flood debris left in the flood plain, all of which can affect the flow levels of the creek.

A relief open drain from the subdivision through farm land to the north has been interfered with, which will affect the over flow efficiency of the grated pits located in its invert.

The outlet drain from [redacted] has a number of pits with grated lids to allow the drain to over flow. The impact of this overflow should be checked.

Is there a relief drain from [redacted] to the oval retarding basin? If so, has this been taken into account in the modelling done in the area?

Conclusion

The information shown on the plans for this amendment will have a huge impact on property owners. Their insurance premiums will increase, resulting in a large sum over a long period of time. Therefore, it is important that the Authority gets this project right, both from a cost and future outcomes point of view.

So, we come to the question "*What is the Authority going to do to fix the problem produced by its predecessor's neglect*"?

The production of an overlay to a Planning Scheme is not the answer to this problem.

A suggested solution is the construction of a relief drain to the oval retarding basin north of Bradman Boulevard to overcome the impact to the properties concerned.

The relief works should be capable of controlling the impact on the properties in [redacted] from the gap flow between the current drainage capacity and the 1% flow.

I look forward to a successful resolution to this problem in the future.

Regards
[redacted]

Submission 37b

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From: [redacted]
Subject: FW: Amendment C131
Date: Monday, 25 July 2022 10:25:15 AM

From [redacted]
Sent: Friday, 22 July 2022 1:34 PM
To: [redacted]
Subject: Amendment C131

[redacted]

Thank you for your reply. I advise you that I'm a retired Civil Engineer who worked in Local government and have carried out many flood studies. Therefore ethically I cannot remove my comments regarding the 1% flood flow.

Regards [redacted]

From: [redacted]
To:
Subject: Re: Amendment C131 Flood Overlay Updates - Follow Up With Submitters
Date: Wednesday, 20 December 2023 12:16:14 PM

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Chase
I have sold the property and therefore no longer have a interest in the out come. I now live at [redacted]

> On 19 Dec 2023, at 4:23 pm, [redacted] wrote:
>
> Good afternoon [redacted] I note we do not have a phone number to contact you on but in an effort to resolve issues with Amendment C131, Tegan McKenzie is trying to meet all objectors to talk thoroughly about concerns raised.
> We know this is a busy time of year for everyone but if you have any capacity to have a meeting, (which can be face-to-face here at our HQ in Morwell, at your home, or even online using Microsoft Teams) it would be greatly appreciated.
> You can book online via this link:
https://outlook.office365.com/owa/calendar/PlanningAppointments@latrobe.vic.gov.au/bookings/
> Otherwise, please feel free to contact myself on the numbers below and I can help set it up.
> Alternatively, you can contact Tegan directly via email at [redacted]
> Thank you,
> [redacted]
> Confidentiality
> The information contained in this e-mail (including any attachments) is legally privileged strictly confidential and intended only for use by the address unless otherwise indicated. It has been sent by the Latrobe City Council. If you are not the intended recipient of this document, you are advised that any use, reproduction, disclosure of the information contained in this document is prohibited. If you have received this document in error, please advise us immediately and destroy the document. It is noted that legal privilege is not waived because you have read this e-mail.
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>
> Should any part of this transmission not be complete or be of poor quality, please telephone
> 1300 367 700.
>
> Latrobe City Council
> P.O. Box 264

From: [redacted]
Sent: Wednesday, 20 December 2023 4:42 PM
To: [redacted]
Subject: Re: Amendment C131 Flood Overlay Updates - Follow Up With Submitters

⚠ EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe. ⚠

My comments with regard to the management of the flood plane and creek still apply.
regards [redacted]

> On 20 Dec 2023, at 1:23 pm, [redacted]
>
> <!-- /* Font Definitions */ @font-face {font-family:"Cambria Math"; panose-1:2 4 5 3 5 4 6 3 2 4;} @font-face {font-family:Calibri; panose-1:2 15 5 2 2 2 4 3 2 4;} @font-face {font-family:"Segoe UI Emoji"; panose-1:2 11 5 2 4 2 4 2 2 3;} /* Style Definitions */ p.MsoNormal, li.MsoNormal, div.MsoNormal {margin:0cm; font-size:11.0pt; font-family:"Calibri",sans-serif;} a:link, span.MsoHyperlink {mso-style-priority:99; color:blue; text-decoration:underline;} span.EmailStyle19 {mso-style-type:personal-reply; font-family:"Calibri",sans-serif; color:windowtext;} .MsoChpDefault {mso-style-type:export-only; font-size:10.0pt;} @page WordSection1 {size:612.0pt 792.0pt; margin:72.0pt 72.0pt 72.0pt 72.0pt;} div.WordSection1 {page:WordSection1;} --> Hi [redacted]
> Thank you for your response. May we take this as a form of withdrawal from Amendment C131?
> Feel free to contact me on the below numbers if you wish to discuss further.
> Thank you,
[redacted]

Submission 38

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Your Details

Personal Details

[redacted]

Confidentiality
Please withhold my name from public documents such as Council reports

Your Submission

My submission is
I have just learnt from [redacted] that the information is wrong it was surveyed in 2019 and does not have information in regards to land being built up and retaining walls in place - [redacted] is speaking with this managers to have the land manually surveyed

Submission 38b

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[redacted]

From: [redacted]
Sent: Thursday, 14 July 2022 9:27 AM
To: [redacted]
Subject: FW: Amendment C131latr - FAQ

Follow Up Flag: Follow up
Flag Status: Completed

From: [redacted]
Sent: Monday, 11 July 2022 4:24 PM
To: [redacted]
Subject: Re: Amendment C131latr - FAQ

Ok thanks so [redacted] - has no flood overly any more? If that is ok i will withdraw my submission

Thanks

[redacted]

From: [redacted]
Sent: Monday, 11 July 2022 4:22 PM
To: [redacted]
Subject: RE: Amendment C131latr - FAQ

Hi [redacted]

Yeah the planning maps don't show house numbers, yours is [redacted]

Here's a map from the flood authority which shows the new boundary better, and an aerial image so it's easier to see where your house is.

Kind regards,

[redacted]

From: [redacted]
Sent: Monday, 11 July 2022 4:19 PM
To: [redacted]
Subject: Re: Amendment C131latr - FAQ

Thanks [redacted] there is no numbers of the houses on the attached maps? I'm not sure if my house is the [redacted] or [redacted] from the end?

Thanks
[redacted]

Get Outlook for iOS

From: [redacted]
Sent: Monday, July 11, 2022 3:55:38 PM
To: [redacted]
Subject: FW: Amendment C131latr - FAQ

Good afternoon [redacted]

Please find attached the new planning map, showing your property not affected by the FO.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission?

Kind regards,

[redacted]

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

From [redacted]
Sent: Monday, 4 July 2022 5:59 PM
To: [redacted]>
Subject: Re: Amendment C131latr - FAQ

Thanks - I believe there has been a change to my overlay - but I have not received the new map - [redacted]

Get Outlook for iOS

From: [redacted]
Sent: Monday, July 4, 2022 4:15:30 PM
[redacted]
Subject: Amendment C131latr - FAQ

Good afternoon,

I hope you are well today.

Please see attached PDF file containing Amendment C131latr FAQ and information.

Thank you kindly.

Kind regards,

[redacted]
Planning Administration Officer

****
Confidentiality
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Submission 39

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From: [redacted]
Sent: Thu, 03 Mar 2022 21:22:20 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning - Amendment C131
Attachments: LCC - Amendment C131.pdf

Dear Latrobe City Council,

Please see attached submission regarding Amendment C131 (Flood Overlays).

Your confirmation receipt of this email would be appreciated.

Regards,
[redacted]

[redacted]

Submission to Latrobe City Council Amendment C131
Attention: Strategic Planning

My name is [redacted], I am a resident at [redacted]. Latrobe City Council is amending the planning scheme to include flood and inundation overlays on some properties in [redacted] Amendment C131 will place “Land Subject to Inundation Overlay” or LSO on addresses [redacted] the western half of the court roadway.

I have lived at this address for 16 years and at no point has this road or properties on this road been impacted by flood waters as a result of heavy rainfall.

The map indicated fooding zones shows [redacted] as a flood prone area however, Hedges Avenue & Traralgon Tennis Courts which are situated on the creek side, are not impacted. The map also shows my neighbours at [redacted] would not be affected however my property would be. Considering I am located at the end of the court I do not believe this makes logical or reasonable sense.

It has been advised that [redacted]s proposed overlay is not flood or inundation related, but issues due to stormwater and movement of that water. Stormwater infrastructure in [redacted] has proven to be capable of appropriate evacuation of storm water, including during recent severe record rain events of 2021. Storm water was not considered in the report and modelling. From the report “flash flooding as a result of stormwater issues that were not covered within the scope of this project”. If the projected flooding is due to insufficient storm water drainage, this is a matter for the local council to repair and is not the responsibility of homeowners.

This flooding overlay will increase my home insurance as well as negatively impacting the value of the property. When I purchased the property back in 2006 there was no indication of any flood overlay. Had this been identified I would not have purchased the property.

I thank you for taking the time to review my concerns and I hope that a reasonable and just outcome will be reached.

Regards,

[redacted]

Submission 40

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From: [redacted]
Sent: Fri, 04 Mar 2022 14:33:35 +1100
To: Latrobe Central Email
Subject: ATTN: Strategic Planning, Amendment C131 submission
Attachments: ATT00001.pdf

See attached submission to the Planning Scheme Amendment, C131. This submission has also been submitted on-line.

[redacted]

Notice of Objection

Latrobe City Proposed Planning Scheme Amendment C131 (Flood Overlays)

[redacted]

The property at the above address is currently classified as Land Subject to Inundation Overlay (LSIO). The amendment proposes a reclassification to Flood Overlay (FO). The residents object to this classification for the following reasons:

- Being potentially detrimental to the property value
- Leading to a high probability of increased insurance premiums for flood coverage, and
- Potentially affecting the design and costs of any redevelopment.

The proposed reclassification is also objected to as unjustified for the following reasons:

1. The neighbouring property[redacted]) has its building footprint flood risk classification unchanged at LSIO, despite it backing directly on to Traralgon Creek and experiencing active water flowing through the property to[redacted]
2. West Gippsland Catchment Management Authority (WGCMA, email correspondence, 2/3/2022, from Senior Planning Officer,[redacted]) defines FO as 300mm above the 1% AEP – One Hundred Year Flood Level). LSIO is less than 300mm. The 1% AED is 5.99m at the Traralgon Creek meter at the Argyle St. bridge. Our property floor level is 260 mm below the 1% AEP as stated in the Certificate of Flood Levels (City of Traralgon, 4/12/1991).
3. WGCMA modelling of flood levels is based on floods of September 1993, June 2012 and June 2013. This modelling does not account for flood mitigation works that have occurred since which change to creek's flow and reduce water backup, namely: the new Franklin St. bridge built at a higher level, and the new George St./Wright St. footbridge built at a higher level.
4. Neighbouring houses and fences and the alignment of George St. to the creek, mean that flood water flows down the street and around our property. It does not actively flow into our property. Unlike other houses in the street which are classified FO and were flooded in the June 2021, the water does not bank up around our property.
5. During the June 2021 flood, Traralgon Creek reached a peak of 5.78m, 201 mm below the 1% AEP. At the peak of this flood, our floor level at the front of the house was 220 mm above that peak. At the rear of the house the photos below show the backyard with nearly four courses of bricks above the water – 300mm. The second photo taken at the back door shows water lapping at the second step. i.e. two steps free, 290mm below the floor**. N.B. Even with 201 mm extra our house floor would not be 300mm under water, the level WGCMA defined as meeting FO requirements.**

Based on these facts, we therefore ask that [redacted] remain at Land Subject to Inundation flood classification.

Yours sincerely,

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Document Set ID: 2299292
[redacted] Version Date: 04/03/2022

Submission 41

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From: [redacted]
Sent: 4 Mar 2022 15:59:04 +1100
To: Latrobe Central Email
Cc: [redacted]
Subject: Planning Scheme Amendment C131 - Gippsland Water submission

Attention: Strategic Planning

Thank you for the opportunity to provide comment on Amendment C131 to the Latrobe Planning Scheme, which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

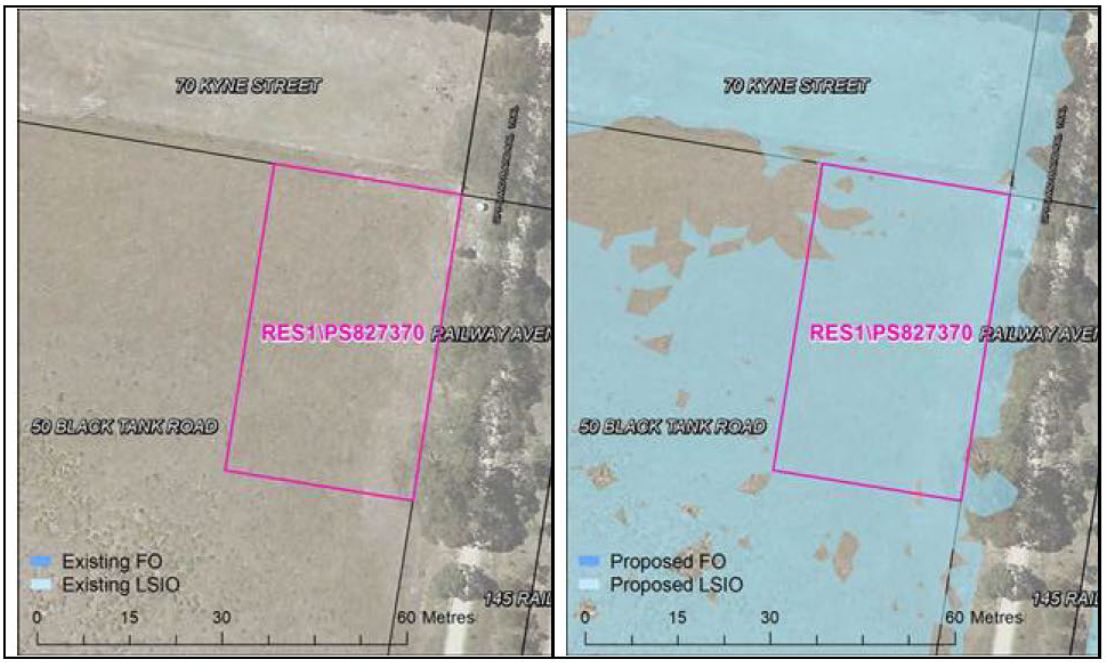
[redacted] has reviewed the proposed amendments to the Land Subject to Inundation Overlay (LSIO) and the Floodway Overlay (FO) of the Latrobe Planning Scheme with consideration of our land holdings in the area.

We make the following submissions related to specific land parcels affected by the proposed changes:

[redacted] RES2\PS827370
This parcel was recently purchased by [redacted] The intention is to apply for the parcel to be rezoned to PUZ1 with a view to develop a public utility (sewer emergency storage) at the site.

We request that the flood depths be reviewed and that this parcel be excluded from the LSIO.

FO & LSIO in current Planning Scheme	FO & LSIO proposed by Amendment C131

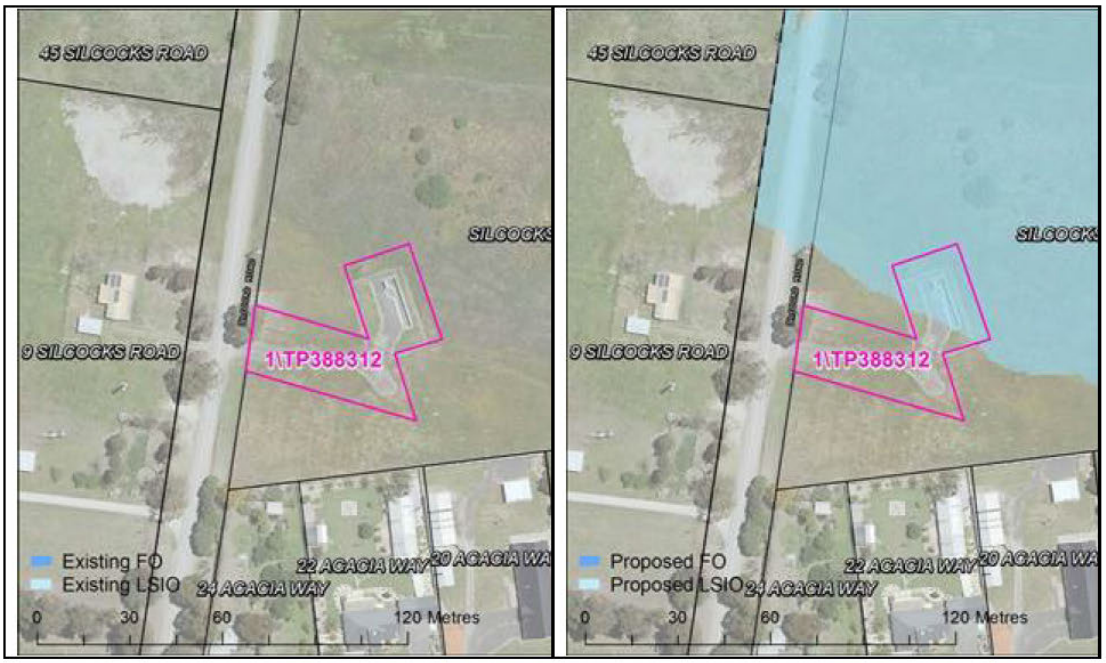


[redacted] 1\TP388312
This parcel is the site of our [redacted] The infrastructure is located on higher land and includes a switchboard and a concrete wall of approximately 0.5 metre height enclosing the open section of channel.

We request that the flood depths be reviewed with respect to the land elevation and that the LSIO be aligned with the PUZ1 boundary such that the parcel be excluded from the overlay.

FO & LSIO in current Planning Scheme	FO & LSIO proposed by Amendment C131

Document Set ID: 2299294
Version: 1, Version Date: 04/03/2022



[redacted] CP172058

This parcel is the site of our Marshalls Road sewage pump station. The proposed amendment to the LSIO introduces a very small area of overlay to the western boundary of this property.

We request that the LSIO be aligned with the PUZ1 boundary such that the parcel be excluded from the overlay.

FO & LSIO in current Planning Scheme	FO & LSIO proposed by Amendment C131

Document Set ID: 2299294
Version: 1, Version Date: 04/03/2022

If you wish to discuss these submissions further please myself on the details below.

Kind Regards,

[redacted]

[redacted]

[redacted]

Gippsland Water

We acknowledge the Traditional Owners of the Gippsland Water area, the Gunaikurnai people and the Bunurong people, and recognise their strong cultural connection to the land and waterways.
We pay our respect to their Elders, past and present.

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Document Set ID: 2299294
Version: 1, Version Date: 04/03/2022

Submission 42

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From: [redacted]
Sent: Fri, 04 Mar 2022 18:48:12 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning - RE: Proposed Amendment C131 Flood Overlay
Attachments: C131 Flood Overlay objection.docx

Attention: Strategic Planning

Please find attached our submission of objection to the proposed Amendment C131 – Proposed Flood Overlay relating to our property at [redacted].

Regards

[redacted]

Document Set ID: 2299394
Version: 1, Version Date: 07/03/2022

March 4th 2022-03-04

Latrobe City Council
Strategic Planning

RE: Proposed Amendment C131 Flood Overlay affecting our property at [redacted]

Further to our recent discussions with [redacted] via zoom, phone and email correspondence, please be advised that we are in current discussions with [redacted], Senior Planning Officer, West Gippsland Catchment Management Authority relating to the proposed flood overlay Amendment C131.

[redacted] and his team have advised they will be conducting a further survey of our property next week to reassess levels of our property.

We wish to submit an objection to the proposed C131 Amendment on the following grounds: -

- During Traralgon's major floods which was reported both nationally and internationally, our property was at no stage under threat of water entering our land or building.
- Our property is on a higher level than some neighbouring properties that have not been listed as requiring a flood overlay.
- Council had access to the West Gippsland Catchment Management Authority's survey in 2015 and 2016.
- Our property was purchased in 2018 with no indication from Latrobe City Council that it was situated in a potential flood zone based on documentation available to Council at the time.
- There was no mention of potential flooding issues on the Section 32 at the time we purchased the block of land. Had this been indicated we would not have proceeded with the purchase of the land and subsequent building of our home.
- Planning permits were issued and approved for the building of our home with no indication from Council that there was potential for flooding in the area or a requirement to mitigate any such potential flooding.
- The subdivision was given approval by Council in a supposed potential flood zone which is unacceptable.
- Our property is fully developed and yet Council's Strategic Planning Officer advised us via a zoom meeting that the C131 overlay was "to protect future development". How can we develop in the future when our home is completed?

Our objection may be withdrawn pending the results of the survey to be carried out by West Gippsland Catchment Management Authority.

Regards

[redacted]

Submission 42b

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From: [redacted]
Sent: Wed, 15 Jun 2022 12:16:33 +1000
To: [redacted]
Subject: FW: Amendment C131 (Flood Overlays Update) - update

From: [redacted]
Sent: Wednesday, 15 June 2022 12:16 PM
To: [redacted]
Cc: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update) - update

[redacted]

Thank you for the call and email to advise that the flood overlay for amendment C131 has now been removed from our property.

We are happy to withdraw the submission based on this information.

Regards
[redacted]

Get Outlook for Android

From: [redacted]
Sent: Wednesday, June 15, 2022 12:06:14 PM
[redacted]
Cc: [redacted]
Subject: Amendment C131 (Flood Overlays Update) - update

H[redacted]

Following our call this morning, I am happy to advise that the WGCMA have reviewed the modelling following the completion of the exhibition stage of Amendment C131. Your lot is no longer expected to be affected by the flood overlays under the amendment.

I have attached an image to confirm this. Please see your property highlighted in red, and the updated overlay in yellow.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission?

Regards,

Submission 43

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From: [redacted]
Sent: Sat, 05 Mar 2022 15:22:52 +1100
To: Latrobe Central Email
Subject: Strategic Planning

hello its [redacted] writing to you in response of the flood over lay and aboriginal over lays that are on my property.

let me first start of by saying 10 years ago when i first brought this property and did all the checks on [redacted] there where NO over lays on it.
i never got notified of these over lays getting implemented onto my property which i know the council has the duty to disclose and notify this to me before they can implement it.

I am in a huge dis agreement with you hydrologist report that was done on [redacted]
The two areas that are meant to flood are a joke.
At the time of the flood over lay being implemented my front yard was all garden and the same height as my house and the backyard corner was not very far of it either.
The rest of my property is not affected by flood by your flood map. even on your flood over lay map it has a government disclaimer that states the information may or may NOT be correct. I am wondering how you can even enforce this flood over lay if its not correct?

I have lived here for the last 10 years and the narracan creek has broken its banks 2 or 3 times in that time frame and not once has the flood water even reach my property.
I would suggest that this would be good real life data not a prediction that some hydrologist come up with and is so god dam wrong.

The aboriginal over lay. I can not see how the rear corner of my yard which is in your aboriginal over lay and has a shed in it and other houses behind my property could affect anything down along the narracan creek.

I want both these over lays removed off my property which again ill say where never discussed with me prior to me[redacted]
I also want to be contacted with any like this that affects my property.

please don't hesitate to call me on [redacted] or mail me back .

[redacted]
5/2/2022

Submission 44

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From: [redacted]
Sent: Sun, 06 Mar 2022 20:16:10 +1100
To: Latrobe Central Email
Cc: [redacted]
Subject: Attention: Strategic Planning - Submission - Amendment C131
Attachments: Amendment C131 - Submission - [redacted].pdf

Attention: Strategic Planning
Submission - Amendment C131

Kind regards, [redacted].

[redacted]

6 March 2022

Attn. Strategic Planning – Latrobe City Council

Re. Latrobe Planning Scheme, Amendment C131 (Flood Overlays)

To Whom It May Concern,

We wish to lodge a submission to Planning Scheme Amendment C131.

We live at [redacted]. This land is subject to Planning Permit [redacted] for a six lot subdivision. This involved the existing land behind the existing dwellings at [redacted] and [redacted] being subdivided off to create four new lots at the rear, with a common driveway. Please see image below demonstrating this (image taken from VicPlan). [redacted], [redacted] is highlighted in blue.

[redacted]

Image: [redacted]

Amendment C131 proposes to place a Land Subject to Inundation Overlay (LSIO) over nearly all of our property. Please see image below from Latrobe City Council 'Neighbourhood Navigator' outlining this.

[redacted]

Image: [redacted] **– proposed extent of LSIO**

The proposed placement of the LSIO has been determined based on modelling from the *Latrobe River Flood Study (2015)* and the *Traralgon Flood Study (2016)*. However, since these studies have been undertaken, the subdivision associated with Planning Permit [redacted] has been undertaken, and dwellings, outbuildings, and swimming pools have been constructed on the four new lots, plus landscaping works (including fences) etc. This can be demonstrated in the image below, which is taken from Google Maps. Our property at the end also now has a shed, which is constructed in the middle of the western boundary of our site.

Image: [redacted] – red star shows shed location (approx.)

We therefore believe that the two studies which the proposed LSIO for our property is based on are outdated, and that the data and flood levels relate to pre-development levels, rather than post development. Our land was also subject to extensive fill where the dwelling and shed are located. We are happy to supply photos of pre and post development of our site, if this is of benefit.

We have spoken to the West Gippsland Catchment Management Authority (WGCMA) regarding this. They have advised that there may be issues with the data and flood levels, and are looking to send out someone from their organisation to take updated flood level measurements on our land.

We therefore respectfully request that the flood levels for our land be reviewed based on current site development, and the proposed LSIO be reviewed in light of the proposed WGCMA flood level findings (which may hopefully result in the proposed LSIO being removed from our property).

Should you require any additional information, please let us know. We are happy to discuss the above. We have also given WGCMA verbal approval to enter our land – if you need this is writing, please let us know.

Lastly, could you please withhold our names from public documents including Council reports.

We look forward to hearing from you.

[redacted].

From: [redacted]
Sent: Monday, 29 January 2024 9:50 AM
To: [redacted]
Subject: Re: Update on Amendment C131

⚠ **EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.** ⚠

Good morning [redacted]

Thank you for your email and the information provided (as well as the phone calls from yourself and [redacted]

Our apologies for the delay with replying.

[redacted] advise that we withdraw our submission to Planning Scheme Amendment C131.

Can you please confirm in writing that you have received this email and have processed our withdrawal?

Thank you.

Regards, [redacted]

Submission 45

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From: [redacted]
Sent: Sun, 06 Mar 2022 19:32:06 +1100
To: Latrobe Central Email
Subject: Objection to proposed Amendment C131 - Flood Overlays
Attachments: Submission to proposed Amendment C131 - Flood Overlays.docx

Attention: Strategic Planning
Latrobe City Council

Document Set ID: 2299418
Version: 1, Version Date: 07/03/2022

[redacted]

Attention: Strategic Planning Department
Latrobe City Council

PO Box 264, Morwell VIC 3840

Submission to proposed Amendment C131 – Flood Overlays

[redacted]. I am writing to **object** to the Amendment C131 for map 49LSIO overlay proposal.

I have lived in Latrobe City for over 40 years and have seen the extent of which Traralgon has flooded from Traralgon Creek. The proposed overlay suggests that [redacted] is affect from flooding and inundation, this is simply not true as my property has never been affected by flooding, inundation or stormwater issues. The proposed overlay on our property at [redacted] is connected with the overlay in [redacted] and doesn't meet the LSIO (Land Subject to Inundation Overlay) purpose as it isn't connected to any riverine flooding of the Traralgon creek. So how does the proposed water get there?

VICTORIA PLANNING PROVISIONS

44.04 **LAND SUBJECT TO INUNDATION OVERLAY**
06/09/2021
VC171

Shown on the planning scheme map as **LSIO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

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[redacted] has not flooded in any floods from riverine flooding, inundation or flooding from extreme downpour event from overland/stormwater flooding including the most recent events in 2021.

The Major recent flooding event in June 2021 had a devastating effect on Traralgon. This event has been compared to a 1% AEP, were large rainfall totals fell in the catchment area combining with saturated ground from high rainfall throughout year resulting in larger water runoffs. The peak of the flood was at 5.76m it was the largest since 1993 (5.99m). Yet again My property didn't have any flooding.

In October 2021 there was a flash flooding event in Traralgon where 45mm of rain fell in hour and many properties were inundated from overland/stormwater flooding [redacted] was not affected yet other properties in [redacted] others in Traralgon were flooded yet they do not have an Overlay.

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3: The West Gippsland Floodplain Management Strategy 2018-2027 states on page 67 that:

A flood study for Traralgon was completed in 2016 (Water Technology, 2016). This study modelled riverine flooding as a result of Traralgon Creek but did not include impacts of flooding from overland flow and urban stormwater.

Yet [redacted] from West Gippsland Catchment Authority has said that the water in [redacted] is from stormwater runoff and not from flooding of Traralgon Creek.

There has been no flooding in [redacted] from stormwater and no reports produced on stormwater. Latrobe City Council is responsible for stormwater management with capital works programs.

Victorian State Government Environment, Land, Water and Planning.

Applying flood provisions in planning schemes a guide for councils.

Definition **LSIO** from their site:

Land subject to inundation: The estimated area that would be inundated by the DFE (Design Flood Event). This will vary for different purposes, but should be based on the 100-year ARI flood for land use planning. Its extent will be less than the extent of flood-prone land, which is based on the PMF (Probable Maximum Flood).
Doesn't fit [redacted] as we are not connected to any flood overlay.

Below is how Victorian State Government Environment, Land, Water and Planning recommending overlays are applied.

States on page 11 to 13 that land subject to inundation is connected to the flood overlay and the use of another overlay is to be used for stormwater/drainage over lay see tables below

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Table 1. Application of the flood zone and overlays

	Urban Floodway Zone	Floodway Overlay	Land Subject to Inundation Overlay	Special Building Overlay
Urban or rural areas?	Urban areas only	Both urban and rural areas	Both urban and rural areas	Urban areas only
Mainstream or stormwater flooding?	Mainstream flooding from a river or stream	Mainstream flooding from a river or stream	Mainstream flooding from a river or stream	Stormwater flooding along overland flow paths
Application	Case 1 (see Fig. 2.3) • Urban land which is mainly undeveloped • The stream channel or primary flow path area • Important for conveying and/or storing floodwater • Higher flood depths and/or flow velocities • Higher potential flood risk • Unsuitable for intensive urban development.	All cases • The stream channel or primary flow path area • Important for conveying and/or storing floodwater • Higher flood depths and/or flow velocities • Higher potential flood risk, but usually not as severe as in the UFZ. Case 2 • Rural land which is mainly undeveloped. Case 3 • Urban land which is mainly undeveloped • Unsuitable for intensive urban development but may be suitable for development compatible with the flood risk (for example, public purpose uses, such as school grounds, golf courses, sports grounds and recreation areas). Case 4 • Urban land that is fully or substantially developed (for example, currently zoned residential, commercial or industrial areas).	Case 5 (see Fig. 2.1) • Rural or urban areas where the extent of the floodway has not been identified and only the extent of land subject to inundation is known • Areas that cover the total extent of land subject to inundation, including the higher risk floodway component • LSIO can be applied as an interim measure until further mapping of the floodway is carried out. Case 6 (see Fig. 2.2) • Rural land that is mainly undeveloped • Areas where the extent of the floodway has been identified and LSIO covers the balance of land subject to inundation, excluding the floodway component • Lower flood depths and/or flow velocities • Lower potential flood risk. Case 7 (see Fig.2.3) • Urban land that is fully or substantially developed ('flood fringe') • Areas where the extent of the floodway has been identified and the LSIO covers the balance of land subject to inundation, except the floodway component • Lower flood depths, lower flow velocities • Lower potential flood risk.	Case 8 (see Fig. 2.4) • Urban land that is inundated if the capacity of the drainage system is exceeded during heavy rainfall • Currently used by Melbourne Water in the Melbourne metropolitan area • Can be applied by councils for regional towns provided overland flow path areas are delineated.

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Submission 45b

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From: [redacted]
Sent: Wed, 29 Jun 2022 13:07:50 +1000
To: [redacted]
Subject: FW: Amendment C131 - Updated Flood Overlay Mapping

From: [redacted]
Sent: Thursday, 16 June 2022 8:20 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Amendment C131 - Updated Flood Overlay Mapping

Hi [redacted],

As you have advised that [redacted] LSIO proposed overlays have been withdrawn a can you please withdraw both our submissions. We wont need to voice our objections for this reasons. I would still like to be able to listen to the other objections for our town if possible. How is possible to do this?

Regards
[redacted]

PS I will reach out to WGCA to ask for a full map for further information

---

From: [redacted]
Sent: Wednesday, June 15, 2022 11:57 AM
To: [redacted]
Cc: [redacted]
Subject: Amendment C131 - Updated Flood Overlay Mapping

Good afternoon [redacted],

Thank you both for taking my calls earlier.

As mentioned on the phone, properties in [redacted] are no longer proposed to be impacted by the flood overlays proposed under planning scheme amendment C131. Please see in yellow and orange below the extent of the overlay in relation to the area:

Document Set ID: 2343951
Version: 1, Version Date: 29/06/2022

Can you please confirm whether you wish to proceed with your submissions to the amendment, or withdraw them? And further, if you still wish to attend tomorrow afternoon's session and address the Councillors?

Many thanks

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

LatrobeCity
a new energy

Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm

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Version: 1, Version Date: 29/06/2022

Submission 46

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From: [redacted]
Sent: Monday, 21 February 2022 8:00 PM
To: [redacted]
Subject: Urgent - Objection PENDING Planning Scheme Map 49LSIO-FO

Hi [redacted]

I will be objecting Planning Scheme Map 49LSIO-FO. [redacted]

I have had [redacted] (West Gippsland Management Authority) attend my property on Thurs 17th Feb. I was expecting them to re-measure some alleged low levels of my property that were picked up via an areophane laser scan approx. 2018. I have had since then had a shed and pool installed (involving considerate land fill). Instead I was shown with a different map as to the one on Latrobe City's proposal; this one highlighting my whole property (instead of just sections). I was advised I could contract an independent surveyor to obtain *accurate* levels on current land levels. I've made contact with an surveyor and forwarded on the flood plan information that I've been given, including the second map (highlighting my whole property).

I had a call from [redacted] on Friday 18th Feb. He advised WGCA are going to do some diagnostics and may calibrate their equipment and re-measure themselves. Advising me to hold off on spending my funds to obtain current and *accurate* data for the proposal at this stage. Great news.

I have questions can you please answer the following:

- Why is this area under consideration for LSIO rezone? 44.04 06/09/2021 VC171 **. The purpose for the LSIO is for development**.
This area is not under development.
https://planning-schemes.api.delwp.vic.gov.au/schemes/vpp/44_04.pdf?_ga=2.231713755.516484055.1643841766-1170294744.1618872879

-Can you please inform me if the flooding objection closure date is extended or if the proposal has been paused? If so why is this occurring? (I may need to seek extension to obtain my own accurate measurements and seek legal advice). When is it actually due as I will most definitely be lodging one?

-How is it possible that some areas in my dwelling are at risk (shaded in the original mapping) whilst my home is level?

-How is it that [redacted] are alleged at risk for inundation given that flood waters are not connected?

-Are there going to be amendment's and will there be transparency for ALL landholders on any amendments? Such as public notices of any amendments that are easily understood and interpreted in the Latrobe Valley Express; such as the original on 2nd February 2022? If any amendments will they be communicated via post as previous communication? I ask this is vital for fair and honest opportunity to those rate holders.

Given the recent flood events in Traralgon providing accurate data wouldn't this *design probability be irrelevant* given we had no flood or inundation issues? **There is no risk**.

I look forward to your reply so I can collate my strong objections. I look forward to the withdrawal of the C131 Amendment of the area [redacted] in Map 49LSIO-FO.

Yours Sincerely

[redacted]

Submission 46b

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From: [redacted]
Sent: Sun, 06 Mar 2022 20:09:36 +1100
To: Latrobe Central Email
Subject: Submission Amendment C131 (Flood Overlay)
Attachments: LSIO Overlay Objection MQ. [redacted]

Hello,

Please see attached Objection to Amendment C131 – Map 49-LSIO-FO [redacted]

Please withhold my name from public documents such as Council reports

Regards
[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Attention: Strategic Planning Department
Latrobe City Council

PO Box 264, Morwell VIC 3840

Proposed Amendment C131 – Flood Overlay Map No49LSIO-FO

[redacted]. I am writing to **oppose** the Amendment C131 for Map 49LSIO-FO for [redacted]

I oppose this amendment given the following:

- I lived at this address during the most recent major flooding events. The most recent flood information (accurate data) should go before any computer based behavioral model. During this major event there was no flood inundation to my property. No impact whatsoever to Sherwood Court. Local knowledge is that [redacted] have never been inundated at all in the past. I have lived in and out of Traralgon and Tyers since 1988. There is no overflow of the Traralgon Creek banks to [redacted].

- Given the Application of Land Subject to Inundation Overlay applies to mainstream flooding only. This LSIO amendment should not apply. There are no mainstream flood impacts to [redacted] does not overflow the Traralgon Creek to these courts. Your mapping also separates these areas highlighting this. https://www.planning.vic.gov.au/__data/assets/pdf_file/0028/96571/PPN12-Applying-the-Flood-Provisions-in-Planning-Schemes_June-2015.pdf Page 11

Document Set ID: 2299416
Version: 1, Version Date: 07/03/2022

Mapping with LSIO see Page 11.
https://www.planning.vic.gov.au/__data/assets/pdf_file/0035/96569/PPN11-Applying-for-a-planning-permit-under-the-flood-provisions_August-2015.pdf

Please note the LSIO connected to a mainstream river.

The proposed amendment to [redacted] is not consistent.

- Traralgon Flood Study 2016 report. Table 4-5 Summary of Flood Behavior for Various Flood Events (P.23-24). Flood Class level table ranges from <20% AEP – 0.05% AEP there is **no mention of** [redacted] There is no risk.

- West Gippsland Floodplain Management Strategy (2018-2027)

  Page 41 has noted that stormwater flooding impacting a number towns due to inundation caused by heavier than usual rainfall. And that Local Government Area's are accountable for managing urban stormwater.

Still, I know of no stormwater flooding impacting [redacted] either.

Page 65 has noted the study modelled riverine flooding as a result of Traralgon Creek but did not include impacts of flooding from overland flow and urban stormwater. Roads were mentioned that were inundated during floods. There is no mention of alleged mainstream flooding of [redacted] at all.

- Latrobe Flood Study 2015. Flood Behaviour – (Latrobe River Tyers Road to Rosedale)

  Page 23 has noted major flooding does not appear to impact the current town boundaries at Traralgon.

- Based Victoria Planning Provision – Land subject to Inundation Overlay's *purpose* is to ensure development minimizes flood damage. These courts are not developing, therefore is no purpose.

I look forward to the withdrawal of the LSIO proposal of Map49-LSIO for [redacted]

Yours Sincerely

[redacted]

Document Set ID: 2299416
Version: 1, Version Date: 07/03/2022

Submission 46c

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From: [redacted]
Sent: Wed, 29 Jun 2022 13:07:50 +1000
To: [redacted]
Subject: FW: Amendment C131 - Updated Flood Overlay Mapping

From [redacted]
Sent: Thursday, 16 June 2022 8:20 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Amendment C131 - Updated Flood Overlay Mapping

Hi [redacted]

As you have advised that [redacted] LSIO proposed overlays have been withdrawn a can you please withdraw both our submissions. We wont need to voice our objections for this reasons. I would still like to be able to listen to the other objections for our town if possible. How is possible to do this?

Regards
[redacted]

PS I will reach out to WGCA to ask for a full map for further information

---

From: [redacted]
Sent: Wednesday, June 15, 2022 11:57 AM
To: [redacted]
Cc: [redacted]>
Subject: Amendment C131 - Updated Flood Overlay Mapping

Good afternoon [redacted]

Thank you both for taking my calls earlier.

As mentioned on the phone, properties in [redacted] are no longer proposed to be impacted by the flood overlays proposed under planning scheme amendment C131. Please see in yellow and orange below the extent of the overlay in relation to the area:

Document Set ID: 2343951
Version: 1, Version Date: 29/06/2022

Can you please confirm whether you wish to proceed with your submissions to the amendment, or withdraw them? And further, if you still wish to attend tomorrow afternoon's session and address the Councillors?

Many thanks

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

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a new energy

Please note my working hours are as follows:
Monday and Tuesday from 7.00am to 8.15am and 8.45am to 4.00pm
Wednesday from 7.00am to 8.15am and 8.45am to 3.00pm

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Submission 47

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From: [redacted]
Sent: Sun, 06 Mar 2022 18:34:32 +1100
To: Latrobe Central Email
Cc: [redacted]
Subject: Submission to Latrobe Planning Scheme Amendment C131 (Flood Overlays)
Attachments: ATT00001.pdf

Please find attached submission to Amendment C131 on behalf of [redacted], owners and occupiers of [redacted].

Document Set ID: 2299422
Version: 1, Version Date: 07/03/2022

6 March 2022

The Chief Executive Officer

Latrobe City Council

PO Box 264

MORWELL VIC 3840

Attention: Strategic Planning

RE: SUBMISSION TO LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS) OBJECTION TO PROPOSED APPLICATION OF FLOODWAY OVERLAY
[redacted]

We refer to the above matter and advise that we are the owners and occupiers of land at [redacted] known as [redacted].

The maps exhibited with Amendment C131 (specifically, Map no. 48LSIO-FO) indicate that part of our property is proposed to be affected by the Floodway Overlay. Currently, there are no flood controls impacting our land under the Latrobe Planning Scheme.

We object to the proposed application of the Floodway Overlay to our land.

The basis for our objection is as follows:

- We purchased our property as vacant residential land in August 2006.

  Prior to constructing our dwelling in 2008, the northern portion of the property was filled to raise its elevation and ensure that it was well above the 1% AEP flood level. A 400mm high retaining wall was subsequently constructed along the entire length of its northern boundary and is still in place.

  This has resulted in the entire of our property having a higher elevation than the adjacent land to the north which forms part of the Latrobe River floodplain. Furthermore, the northern half of our property is at a significantly higher elevation than the adjoining residential property to the west at [redacted].

  Photographs of the retaining wall and planted garden bed along our northern boundary are displayed overpage. We confirm that there has been no alteration to the levels of our property since the retaining wall and garden bed were established in 2008.

- Council will have a record of a previous submission made by us to Amendment C9 to the Latrobe Planning Scheme in 2011, which proposed to apply the LSIO over the same portion of our property that is affected by Amendment C131.

  Following receipt of our submission to Amendment C9, the WGCMA reviewed the finished levels of our property and the estimated 1% AEP flood level and confirmed that no part of it would be impacted by flooding from the Latrobe River. As a result, the LSIO was not applied to our land.

Document Set ID: 2299422
Version: 1, Version Date: 07/03/2022

- We have experienced numerous flood events since 2008, including most recently in June 2021. At no point during any of these events has the floodwater extended past the base of our retaining wall. Rather, any inundation of land has occurred within the rear yards of adjoining properties to the west which are at a lower elevation with permeable post and wire fencing along their northern boundaries.

  Photographs are provided overpage showing the peak of the flood adjacent to our northern boundary during the June 2021 event.

- We submit that the Floodway Overlay should not be applied to our land, as:

  - Application of the Overlay is not an accurate representation of the actual flood conveyance characteristics, based on our local knowledge of how the floodplain interacts with the northern boundary of the property.

  - Application of the Overlay does not appear to have been based on an accurate assessment of existing finished surface levels in proximity to our property's northern boundary and has incorrectly assumed that our property is at the same elevation as the adjoining land to the immediate west at [redacted].

  - According to the Explanatory Report, the Floodway Overlay is applied to the 'mainstream flooding area of the floodplain, being those areas which convey active flood flows or store floodwaters'. We submit that our property does not form part of the mainstream flooding area of the floodplain and nor does it convey active flood flows or store floodwaters.

We request acknowledgement of receipt of our submission and welcome the opportunity to discuss further, including inspection of our property to verify the information provided.

We can be contacted via email at: [redacted]

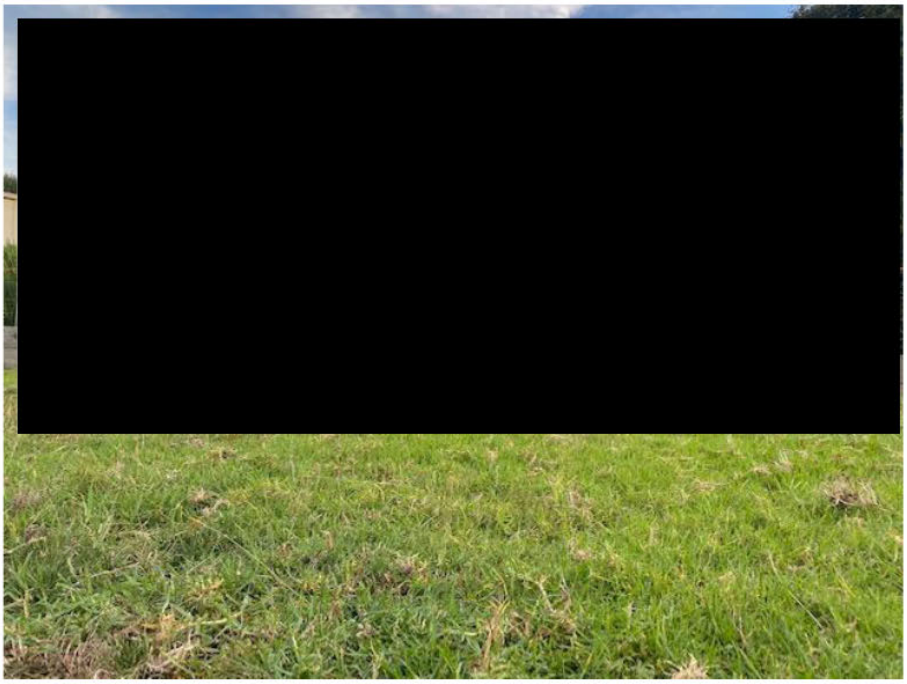
Yours sincerely

[redacted]

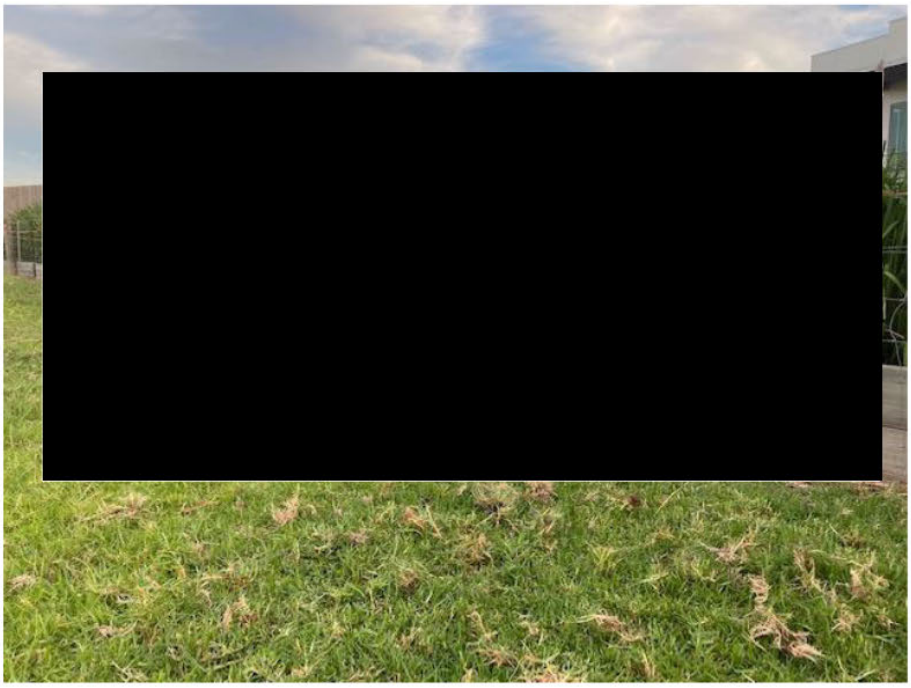
[redacted]

Document Set ID: 2299422
Version: 1, Version Date: 07/03/2022

Photograph 1 – View facing south from the floodplain, displaying the retaining wall and landscaping along the [redacted]

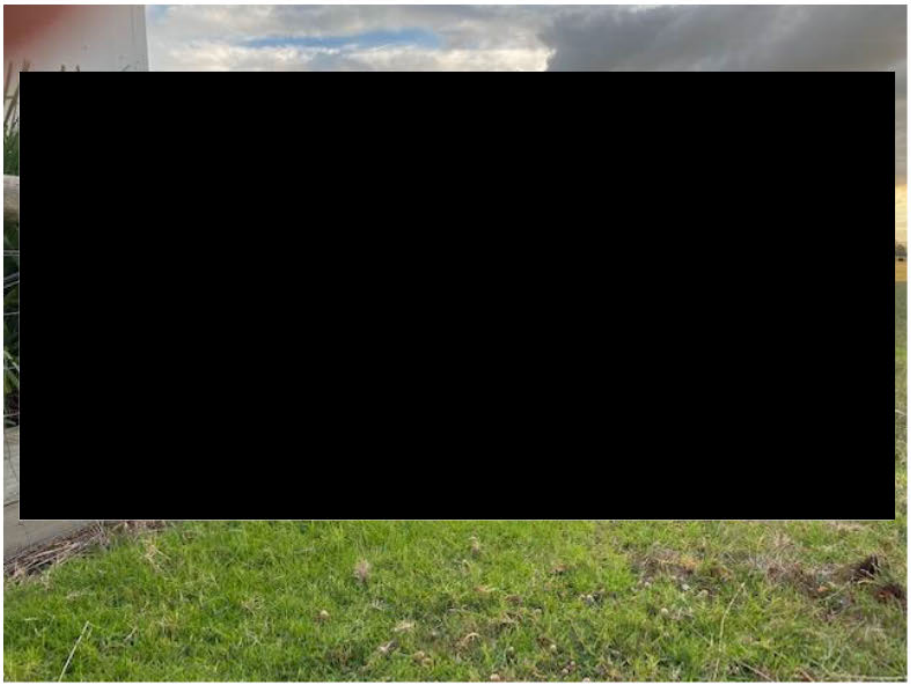


Photograph 2 – View facing south-east from the floodplain, displaying the retaining wall and landscaping along the [redacted]



Document Set ID: 2299422
Version: 1, Version Date: 07/03/2022

Photograph 3 – View from the floodplain of the retaining wall and landscaping along the northern (rear) boundary of [redacted], facing west



Photograph 4 – View facing west, displaying the retaining wall and landscaping along the northern (rear) boundary of [redacted]

Document Set ID: 2299422
Version: 1, Version Date: 07/03/2022

Photograph 5 – View of north-west corner of [redacted], displaying existing garden bed in front of retaining wall

Document Set ID: 2299422
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Photographs 6 & 7 – Peak of June 2021 Floods adjacent to northern boundary of [redacted]

Document Set ID: 2299422
Version: 1, Version Date: 07/03/2022

Submission 47b

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From: [redacted]
Subject: RE: Amendment C131 (Flood Overlays Update) - [redacted]
Date: Friday, 15 July 2022 1:54:01 PM
Attachments: [redacted]

From: [redacted]
Sent: Thursday, July 14, 2022 7:25:00 PM
To: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update) - [redacted]

Hi [redacted]

Thank you for this information, which we have reviewed and can confirm it addresses our concerns.

We no longer wish to continue with our objection to Amendment C131 on the basis that the Floodway Overlay is no longer proposed to be applied to our property.

Please accept this email as confirmation of the withdrawal of our objection.

Regards

[redacted]

> On 13 Jul 2022, at 4:07 pm, Miriam Turner [redacted] wrote:
>
> Good afternoon [redacted]
>
> Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.
>
> After further WGCMA review the proposed overlay is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property.
>
> Attached is a map of the new LSIO-FO overlays near your property at [redacted] As you will see, the proposed overlay has been removed from your property.
>
> For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.

Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Kind regards,

[redacted]

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Submission 48

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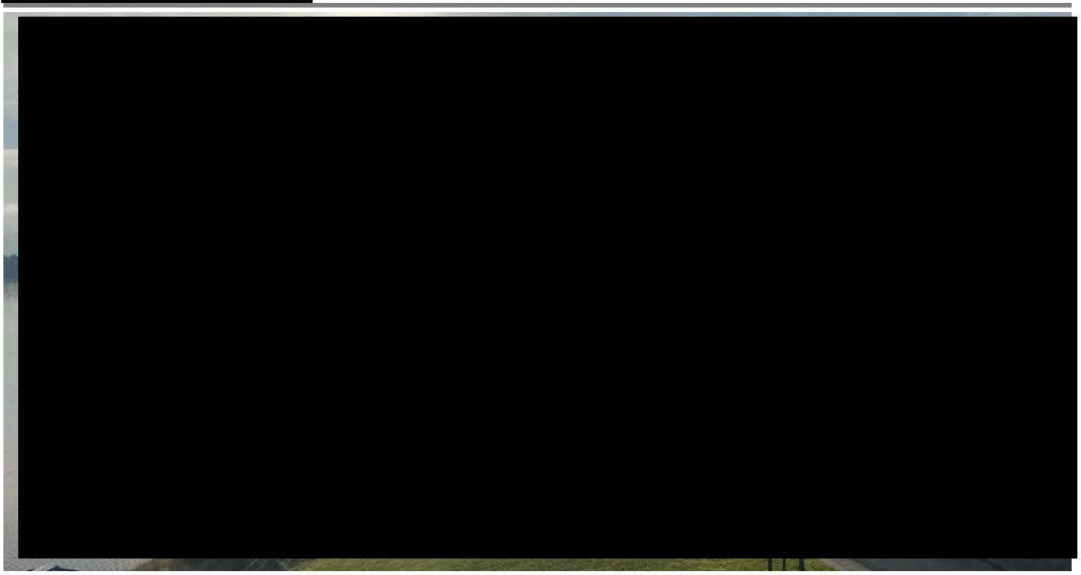
From: [redacted]
Sent: Sun, 06 Mar 2022 17:08:40 +1100
To: Latrobe Central Email
Cc: [redacted]
Subject: Latrobe Planning Scheme - Amendment C131 - Map 49 LSIO-FO "Objection"
Attachments: 20220304 Letter to LCC.pdf, 2014 Land Planning docs.pdf, 2015 POS.pdf, IMG_3491(1).jpg, 20210612_080728.jpeg, 20210610 _1076252159570669.jpeg

Attention: Ms [redacted]

Please find attached our objection relating to proposed changes to the LSIO - FO for Planning Scheme Map 49 LSIO-FO along with our supporting documentation.

[redacted]



Document Set ID: 2299426
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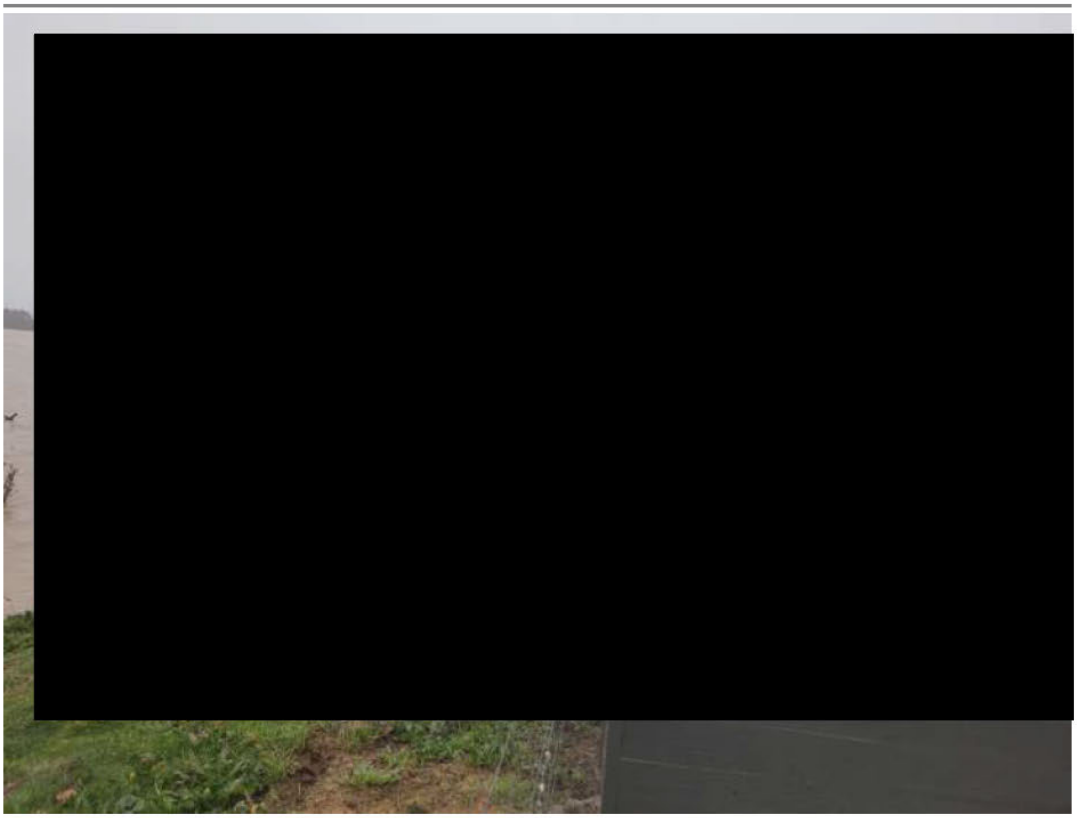

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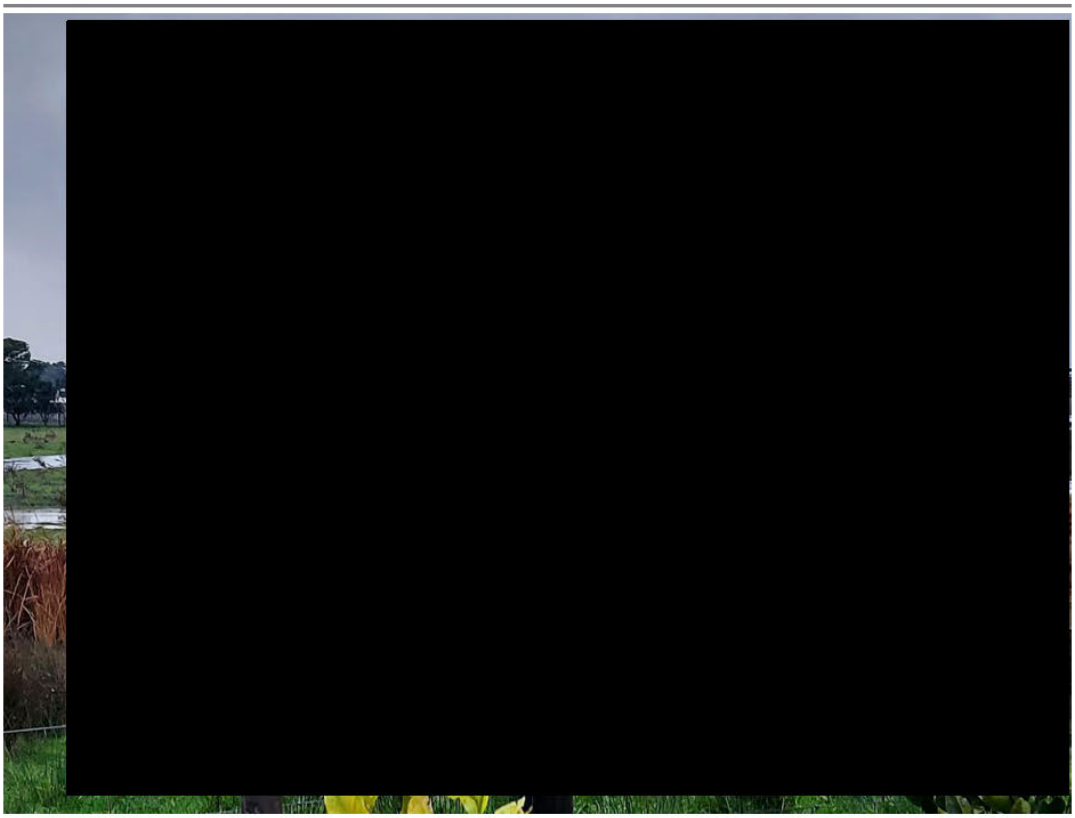

Document Set ID: 2299426
Version: 1, Version Date: 07/03/2022

4th March 2022

Ms [redacted]
Strategic Planner
Latrobe City Council
141 Commercial Road
Morwell Vic 3840

Re: Land Planning Scheme Amendment C131latr
Planning Scheme Map 49 LSIO-FO
[redacted]

Dear Ms [redacted]

I am submitting on behalf of my wife and myself our objection to the proposed planned change in the Flood Overlay (FO) and Land Subject to Inundation Overlay (LSIO) on map 49 LSIO-FO.

When we purchased our land in late 2015, there was no evidence of any FO or LSIO provided by Latrobe City Council. In fact, the Land.Vic.Gov.au Property Report dated 5 December 2014 (see pdf file 2014 Land Planning docs attached to email), shows very clearly on pages 2 of 4 and 3 of 4 that our block is inside both overlays.

Likewise, the Plan of Subdivision Plan Number [redacted] (see pdf file 2015 POS attached to email) does not include any FO or LSIO impacts.

We understand that our land fronts onto the flood plains and we have seen over the past five years, the flood waters that this land is subject to, but at no point has flood water got near to any of our boundary fences including the once in a hundred floods experienced in June 2021 (see photos and details below and attached to email).

Based on this factual evidence and not modelling of flood studies, we state our objection to the change in the FO and LSIO that is proposed to be imparted on our land.

The proposal as shown on Map 49 LSIO-FO now impacts on over fifty percent (50%) of our land and would potentially impact on future insurance policy premiums we pay into the future.

We also argue that with the impact the proposed changes make on our land, the Latrobe City Council probably should never have approved this block of land for building on in 2015. It is indeed immoral for Latrobe City Council to impose these retrospective overlay amendments years after building permits have been issued without any issues of flood inundation being raised at the time of development approval.

We therefore propose that both the FO and the LSIO amendment be removed from our land at [redacted] and be reset outside our boundary perimeter.

We look forward to your written reply in this matter.

Yours sincerely

[redacted]

[redacted]

Document Set ID: 2299426
Version: 1, Version Date: 07/03/2022

4th March 2022

Ms [redacted]
Strategic Planner
Latrobe City Council
141 Commercial Road
Morwell Vic 3840

Re: Land Planning Scheme Amendment C131latr
Planning Scheme Map 49 LSIO-FO
[redacted]

Photos and information attached to email:

Photo IMG-3491(1).jpg – taken in June 2021 showing our boundary onto farmland / floodplain with flood water clearly well away from our North/West boundary.

Photo 20210612_080728.jpeg – taken in June 2021 showing our boundary fence onto farmland / floodplain with flood water clearly well away from our North/West boundary.

20210610_1076252159570669.jpeg – taken in June 2021 showing our rear boundary fence looking East towards the wetlands area with flood water clearly well away from our East boundary.

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Land .vic.gov.au

Property Report from www.land.vic.gov.au on 05 December 2014 07:47 AM

Lot and Plan Number: [redacted]
Address: [redacted]
Standard Parcel Identifier (SPI): [redacted]
Local Government (Council): LATROBE **Council Property Number:** [redacted]
Directory Reference: [redacted]

Note: This parcel is part of a property. For property details get the free Basic Property Report at Property Reports

This parcel is in a designated bushfire prone area.
Special bushfire construction requirements apply. Planning provisions may apply.

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

Parcel Details

This is 1 parcel of 8 parcels comprising the property.The parcel searched for is marked with an * in the table below.

[redacted]

State Electorates

Legislative Council: EASTERN VICTORIA (2005)
Legislative Assembly: MORWELL (2001)
The following electorates using the 2013 boundaries will not apply until the election in November 2014
Legislative Council(2013): EASTERN VICTORIA (2013)
Legislative Assembly(2013): MORWELL (2013)

Utilities

Regional Urban Water Business: Gippsland Water
Rural Water Business: Southern Rural Water
Melbourne Water: outside drainage boundary
Power Distributor: SP AusNet (Information about choosing an electricity retailer)

Planning Zone Summary

Planning Zone: GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)
SCHEDULE TO THE GENERAL RESIDENTIAL ZONE - SCHEDULE 1
Planning Overlays: FLOODWAY OVERLAY (FO)
FLOODWAY OVERLAY SCHEDULE (FO)
LAND SUBJECT TO INUNDATION OVERLAY (LSIO)
LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)

Planning information continued on next page

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Victoria

[redacted]

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Land .vic.gov.au

Planning scheme data last updated on 4 December 2014.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. information about the State, local, particular and general provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting Planning Schemes Online

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the Planning & Environment Act 1987. It does not include information about exhibited planning scheme amendments, or zonings that may abut the land. To obtain a Planning Certificate go to Titles and Property Certificates

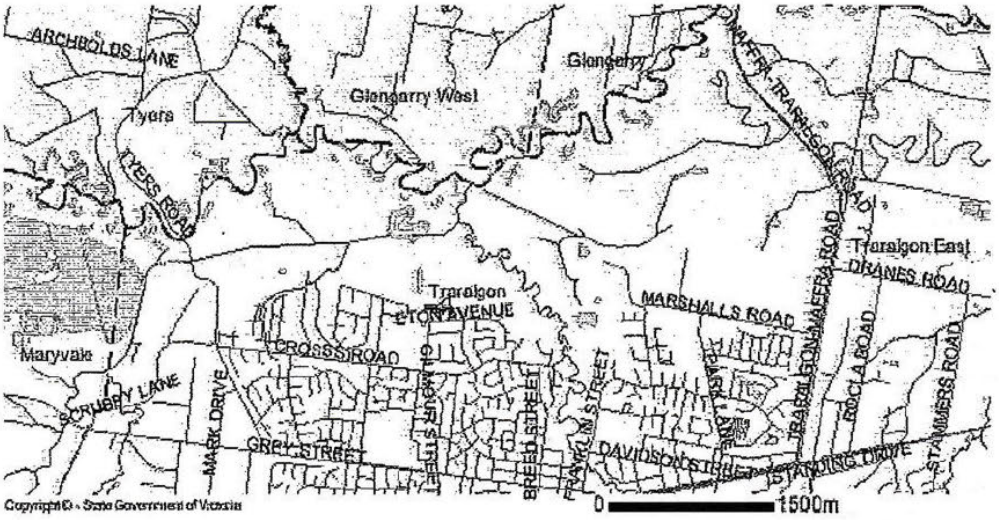
The Planning Property Report Includes separate maps of zones and overlays

For details of surrounding properties, use this service to get the Reports for properties of interest

To view planning zones, overlay and heritage information in an interactive format visit Planning Maps Online

For other information about planning in Victoria visit www.dpcd.vic.gov.au/planning

Area Map



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Document S [redacted]
Version: 1, Version Date: 07/03/2022

Department of
Transport, Planning and
Local Infrastructure

Planning Property Report

from www.dtpli.vic.gov.au/planning on 05 December 2014 07:48 AM

Lot and Plan Number: [redacted]
Address: [redacted]
This parcel is one of 8 parcels comprising the property.
For full parcel details get the free Basic Property report at Property Reports
Local Government (Council): LATROBE **Council Property Number:** [redacted]
Directory Reference: [redacted]

See next page for planning information

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[redacted]

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Department of
Transport, Planning and
Local Infrastructure

Planning Zone

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)
SCHEDULE TO THE GENERAL RESIDENTIAL ZONE - SCHEDULE 1

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Zones Legend

- ACZ - Activity Centre
- B1Z - Commercial 1
- B2Z - Commercial 1
- B3Z - Commercial 2
- B4Z - Commercial 2
- B5Z - Commercial 1
- C1Z - Commercial 1
- C2Z - Commercial 2
- CA - Commonwealth Land
- CCZ - Capital City
- CDZ - Comprehensive Development
- DZ - Dockland
- ERZ - Environmental Rural
- FZ - Farming
- GRZ - General Residential
- GWAZ - Green Wedge A
- GWZ - Green Wedge
- IN1Z - Industrial 1
- IN2Z - Industrial 2
- IN3Z - Industrial 3
- LDRZ - Low Density Residential
- MUZ - Mixed Use
- NRZ - Neighbourhood Residential
- PCRZ - Public Conservation & Resource
- PDZ - Priority Development
- PPRZ - Public Park & Recreation
- PUZ1 - Public Use - Service & Utility
- PUZ2 - Public Use - Education
- PUZ3 - Public Use - Health Community
- PUZ4 - Public Use - Transport
- PUZ5 - Public Use - Cemetery/Crematorium
- PUZ6 - Public Use - Local Government
- PUZ7 - Public Use - Other Public Use
- PZ - Port
- R1Z - General Residential
- R2Z - General Residential
- R3Z - General Residential
- RAZ - Rural Activity
- RCZ - Rural Conservation
- RDZ1 - Road - Category 1
- RDZ2 - Road - Category 2
- RGZ - Residential Growth
- RLZ - Rural Living
- RUZ - Rural
- SUZ - Special Use
- TZ - Township
- UFZ - Urban Floodway
- UGZ - Urban Growth
- Urban Growth Boundary

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[redacted]

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Department of
Transport, Planning and
Local Infrastructure

Planning Overlays

FLOODWAY OVERLAY (FO)
FLOODWAY OVERLAY SCHEDULE (FO)
LAND SUBJECT TO INUNDATION OVERLAY (LSIO)
LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)

Overlays Legend

- AEO - Airport Environs
- BMO - Bushfire Management (also WMO)
- CLPO - City Link Project
- DCPO - Development Contributions Plan
- DDO - Design & Development
- DDOPT - Design & Development Part
- DPO - Development Plan
- EAO - Environmental Audit
- EMO - Erosion Management
- ESO - Environmental Significance
- FO - Floodway
- HO - Heritage
- IPO - Incorporated Plan
- LSIO - Land Subject to Inundation
- MAEO1 - Melbourne Airport Environs 1
- MAEO2 - Melbourne Airport Environs 2
- NCO - Neighbourhood Character
- PO - Parking
- PAO - Public Acquisition
- RO - Restructure
- RCO - Road Closure
- SBO - Special Building
- SLO - Significant Landscape
- SMO - Salinity Management
- SRO - State Resource
- VPO - Vegetation Protection

Note: due to overlaps some colours on the maps may not match those in the legend.

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Department of
Transport, Planning and
Local Infrastructure

Further Planning Information

Planning scheme data last updated on 4 December 2014.

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For other information about planning in Victoria visit www.dpcd.vic.gov.au/planning

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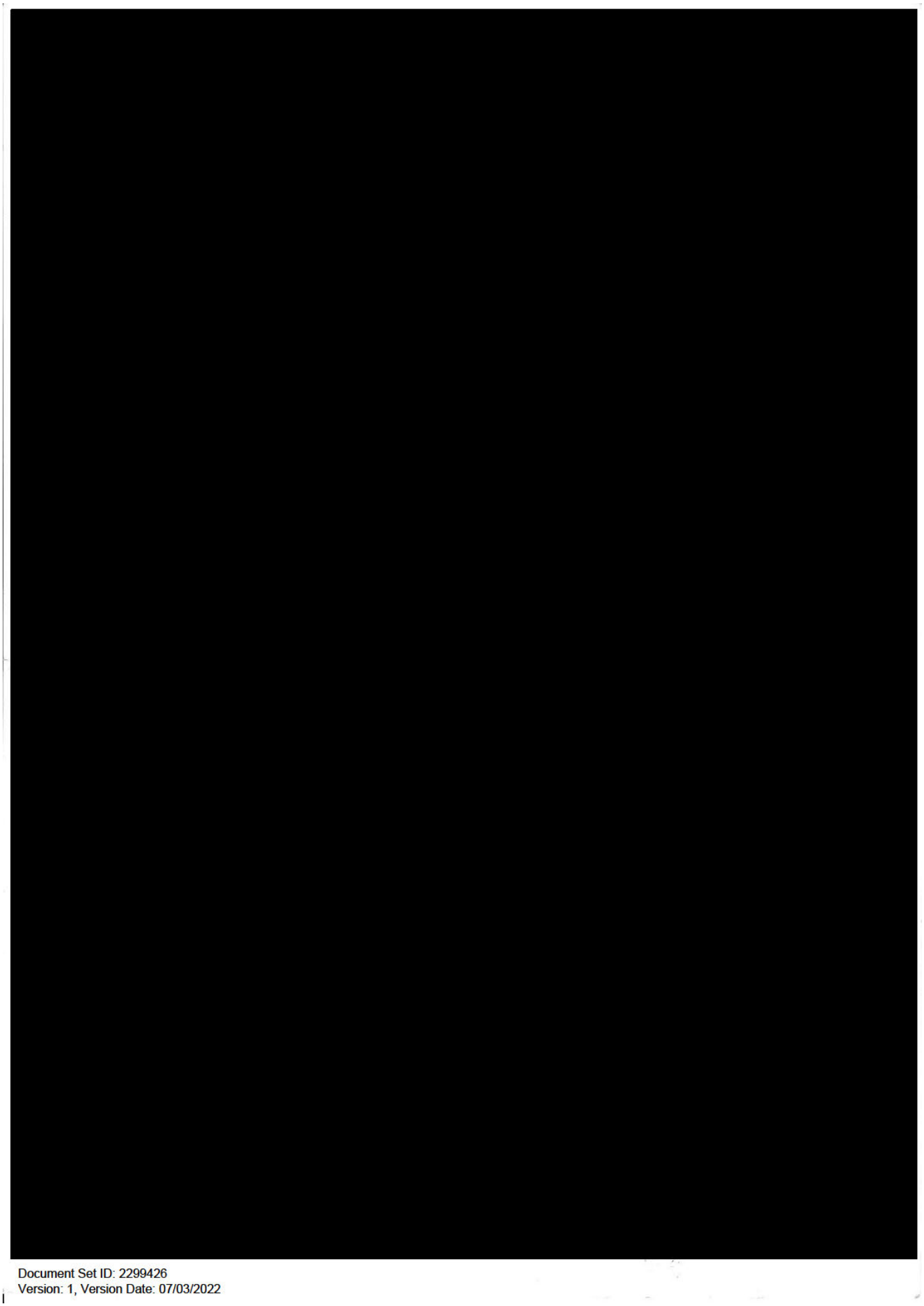

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Version: 1, Version Date: 07/03/2022

Signed by Council: Latrobe City Council [redacted] Cert Ref: 2014/35/CRT3, Original Certification: 17/06/2015

PLAN OF SUBDIVISION

STAGE No. | LRS USE ONLY **EDITION** [redacted]

LOCATION OF LAND

PARISH: TRARALGON

TOWNSHIP: -

SECTION: -

CROWN ALLOTMENT: [redacted]

CROWN PORTION: _

TITLE REFERENCE: VOL: FOL:

LAST PLAN REFERENCE/S: PS (LOT 1)

POSTAL ADDRESS: [redacted]

MGA Co-ordinates (of approx. centre of land in plan). E: 458 240 N: 5 774 250 GDA 94 ZONE: 55

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: LATROBE CITY COUNCIL REF:

1: This plan is certified under Section 6 of the Subdivision Act 1988.
2: This plan is certified under Section 11(7) of the Subdivision Act 1988.
Date of original certification under Section 6 / /
3: This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.

OPEN SPACE:
(i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has / has not been made.
(ii) The requirement has been satisfied
(iii) The requirement is to be satisfied in stage .....

Council Delegate
Council Seal
Date / /

Re-certification under Section 11(7) of the Subdivision Act 1988.

Council Delegate
Council Seal
Date / /

VESTING OF ROAD AND / OR RESERVE

IDENTIFER	COUNCIL / BODY / PERSON
ROAD R1	LATROBE CITY COUNCIL
ROAD R2	LATROBE CITY COUNCIL

NOTATIONS

STAGING This is not a staged subdivision.
Planning permit No,

DEPTH LIMITATION: DOES NOT APPLY

THIS IS A SPEAR PLAN.

SURVEY THIS PLAN IS BASED ON SURVEY

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARK No. -
IN PROCLAIMED SURVEY AREA No. -

EASEMENT INFORMATION

LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefied / In favour Of
E-1	DRAINAGE	6.04	PS 616506H	[redacted]
E-2 & E-3	PIPELINE OR ANCILLARY PURPOSES	SEE DIAGRAM	PS 635544R - SEC 136 OF THE WATER ACT 1989	CENTRAL GIPPSLAND REGION WATER CORPORATION
E-3 & E-4	DRAINAGE	SEE DIAGRAM	PS 635544R	[redacted]
E-5	PIPELINE OR ANCILLARY PURPOSES	3	THIS PLAN - SEC 136 OF THE WATER ACT 1989	CENTRAL GIPPSLAND REGION WATER CORPORATION
E-6	DRAINAGE	2	THIS PLAN	LOTS ON THIS PLAN AND LATROBE CITY COUNCIL

LRS USE ONLY
STATEMENT OF COMPLIANCE / EXEMPTION STATEMENT
RECEIVED ☐
DATE / /

LRS USE ONLY
PLAN REGISTERED
TIME
DATE / /
Assistant Registrar of Titles

SHEET 1 OF 4 SHEETS

KLUGE JACKSON CONSULTANTS PTY. LTD.
SURVEYORS, ENGINEERS AND ESTATE PLANNERS
PETER KLUGE
P.O. BOX 1537
5 ROSITA COURT SALE 3850
Mob. 0418 512 952

LICENSED SURVEYOR HANS PETER KLUGE
SIGNATURE DIGITALLY SIGNED DATE
REF: T08468-D VERSION: 2

DATE / /
COUNCIL DELEGATE SIGNATURE
ORIGINAL SHEET SIZE A3

Signed by: Hans Peter Kluge (Kluge Jackson Consultants Pty Ltd) Surveyor's Plan Version (2) SPEAR Ref: [redacted]

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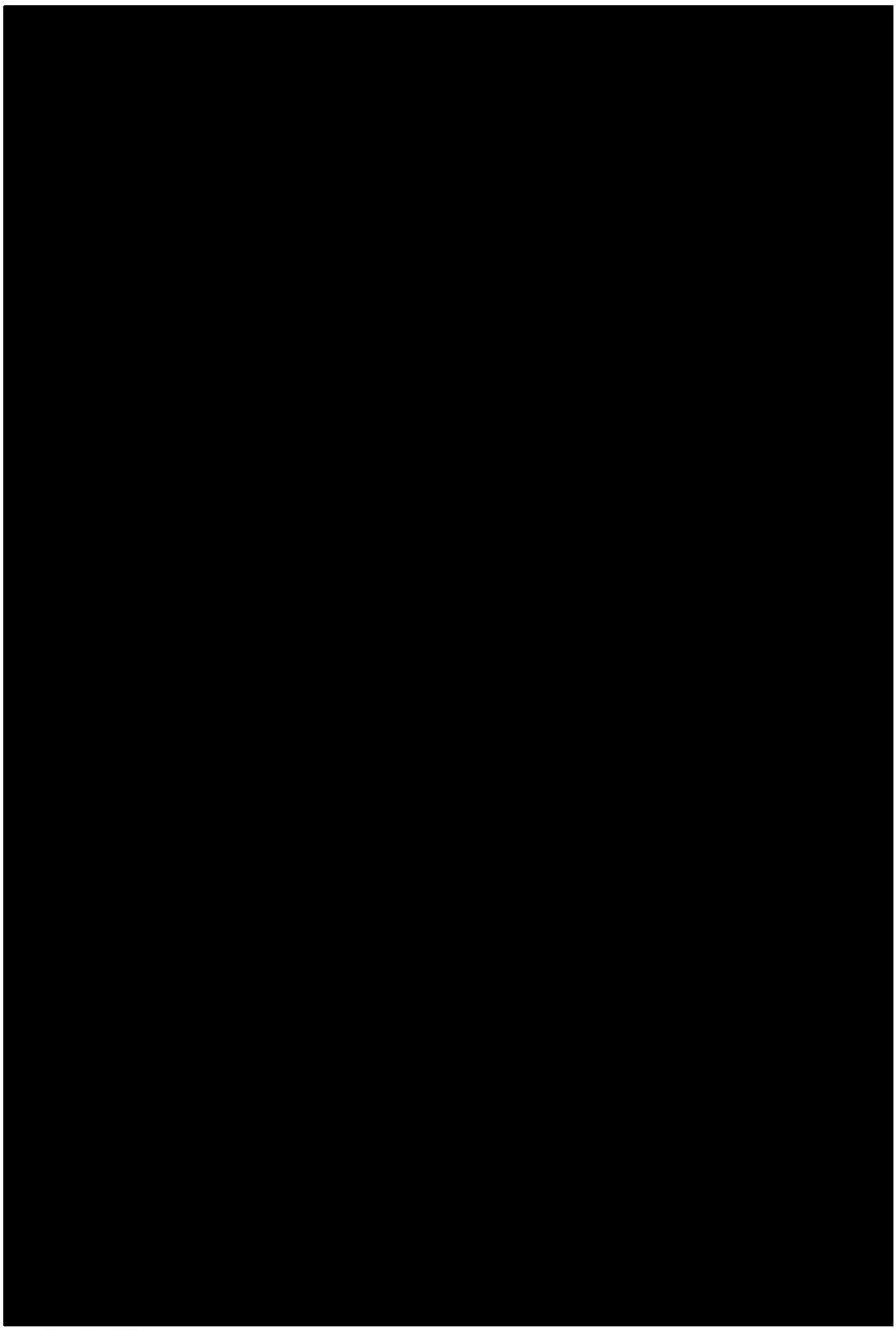

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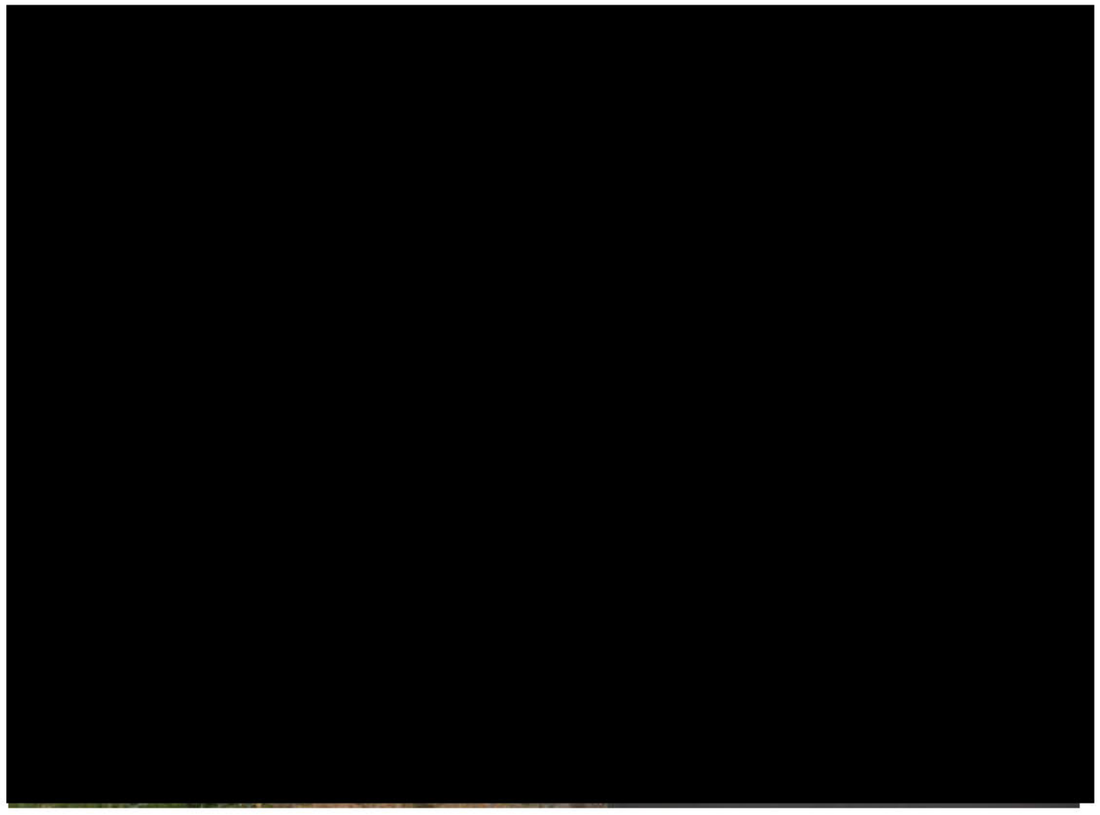

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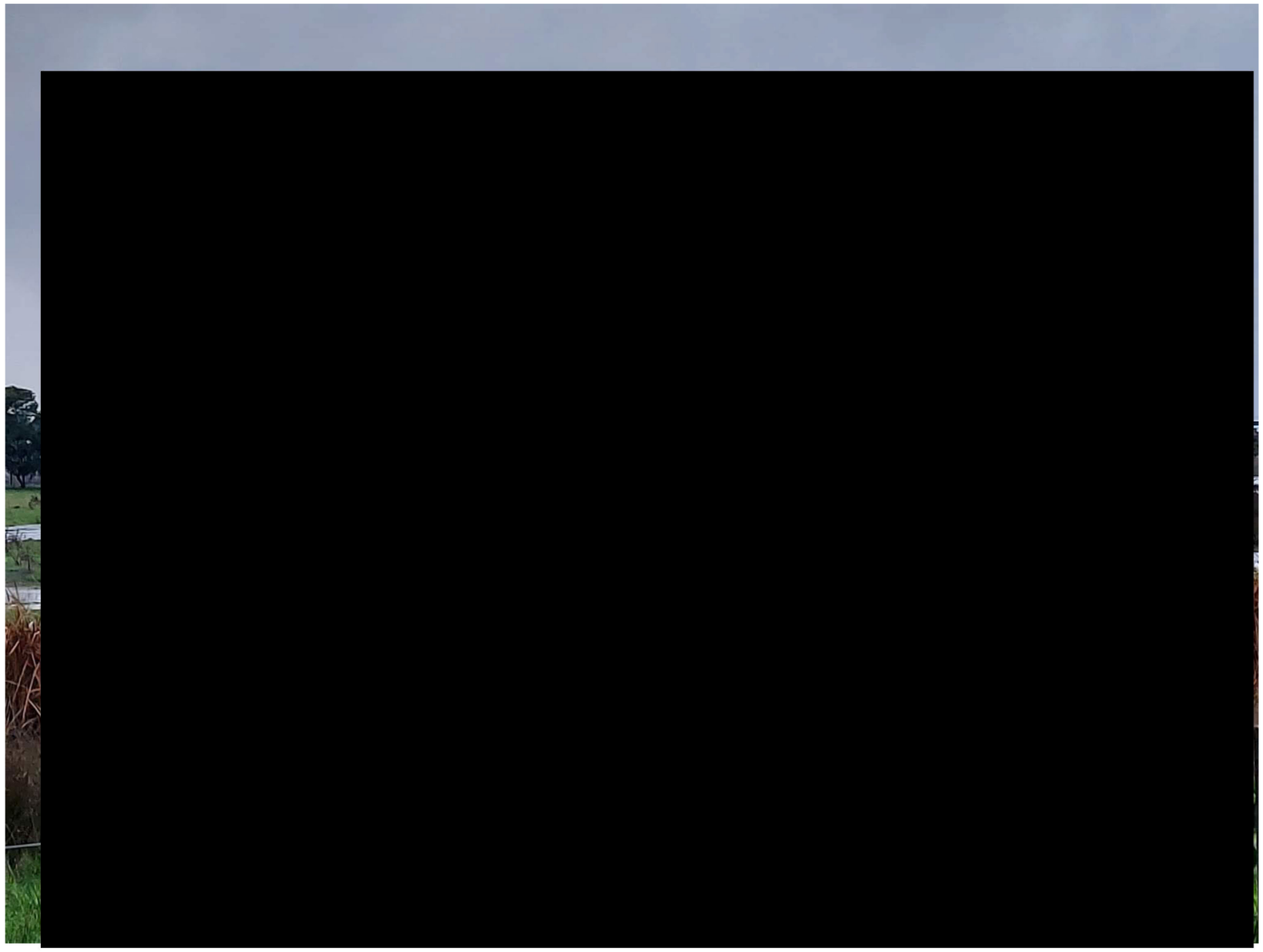

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Submission 48b

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From: [redacted]
Subject: FW: Amendment C131 (Flood Overlays Update)- [redacted]
Date: Monday, 25 July 2022 10:03:56 AM
Attachments: [redacted]

From: [redacted]
Sent: Saturday, 23 July 2022 10:56 AM
To: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update)- Update [redacted]

Good morning [redacted]

Thank you for your email updating us about the proposed flood overlay changes.

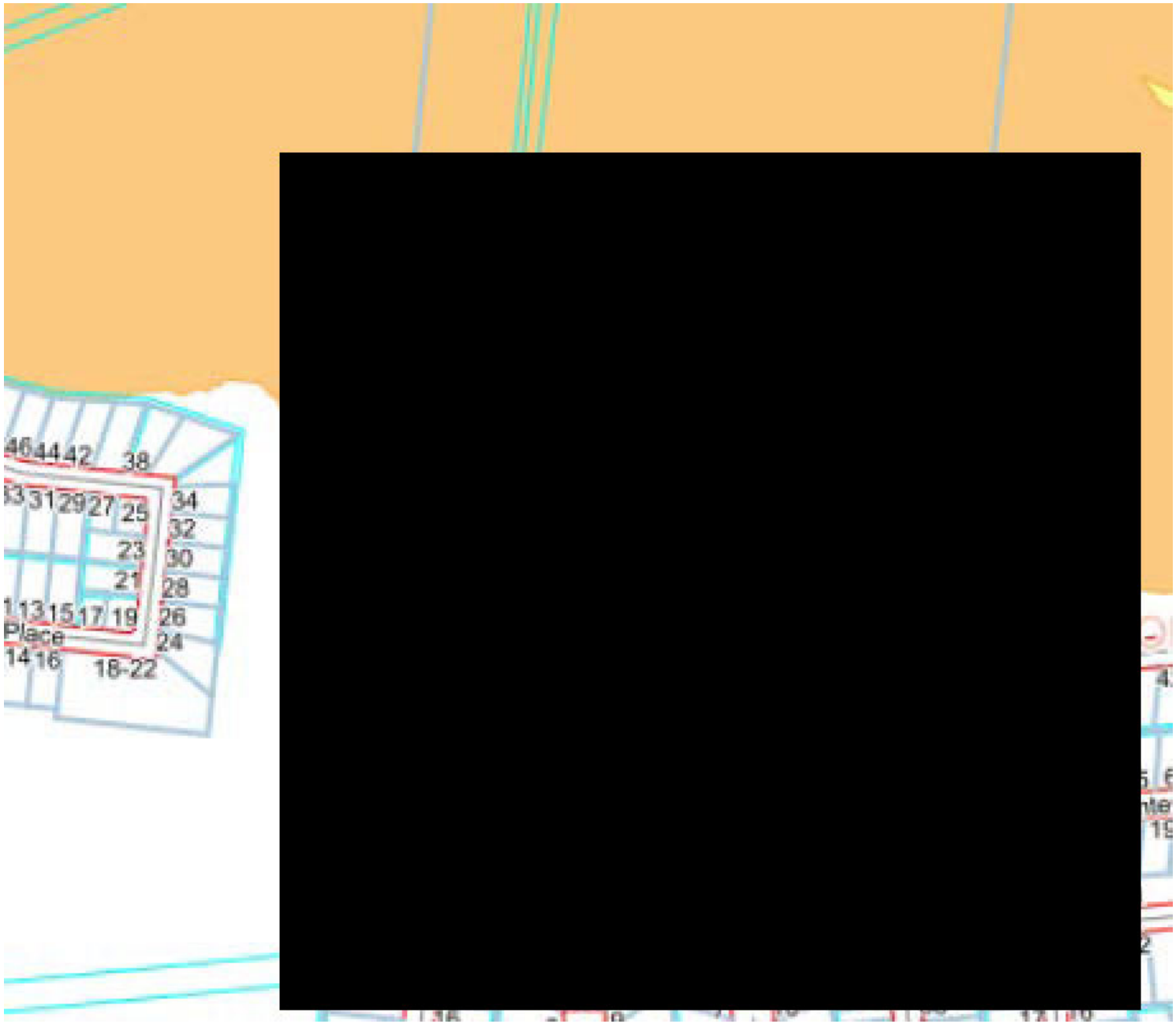
As per the email, we accept the revised position removing the proposed flood overlay from our property located at [redacted] and therefore advise that no further action is required.

Thanking you and your team,

[redacted]

On Fri, 22 Jul 2022, 11:47 am [redacted] wrote:

> Good afternoon [redacted]
>
> Thank you for your submission received to Amendment C131 (flood overlays update). Following assessment of your concerns, further work has been undertaken and I can now provide you with an update, specific to your property.
>
> After further review the flood mapping identified in [redacted] is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property.
>
> Attached is a map of the new LSIO-FO overlays near your property at [redacted]. As you will see, the proposed overlay has been removed from your property.
>
> For reference, your property is shown in red highlight below, to assist with seeing its location in the attached planning map.
>
> Can you please confirm whether you wish to proceed with your submission in objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.
>
> Kind regards,
>
> [redacted]
>
> [redacted]
> P 1300 367 700
> W www.latrobe.vic.gov.au
> PO Box 264, Morwell 3840


46 44 42 38
33 31 29 27 25 34
23 32
21 30
13 15 17 19 28
Place 26
14 16 18-22 24

Submission 49

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From: [redacted]
Sent: Mon, 07 Mar 2022 16:47:43 +1100
To: Latrobe Central Email
Subject: OFFICIAL: DELWP Environment referral response Am C131
Attachments: [redacted].pdf

Dear Strategic Planning Team

Please find attached the DELWP Environment referral response to the above planning scheme amendment

Any questions please contact me

Kind regards

[redacted]

[redacted]
Planning and Approvals | Central-East Hub
Forest, Fire and Regions | Department of Environment, Land, Water and Planning
574 Main Street Bairnsdale 3875
[redacted]

We acknowledge Victorian Traditional Owners and their Elders past and present as the original custodians of Victoria's land and waters and commit to genuinely partnering with them and Victoria's Aboriginal community to progress their aspirations.

OFFICIAL

Department of Environment, Land, Water & Planning

71 Hotham Street
Traralgon Victoria 3844
Telephone: [redacted]
www.delwp.vic.gov.au

7 March 2022

Strategic Planning
Latrobe City Council
P O Box 264
MORWELL VIC 3840

By email: latrobe@latrobe.vic.gov.au

Our ref: SP479151
Your ref: Am C131

Dear Sir / Madam

PROPOSAL: AMENDMENT C131 TO THE LATROBE PLANNING SCHEME
PROPONENT: LATROBE CITY COUNCIL
ADDRESS: ENVIRONS OF THE LATROBE RIVER AND TRARALGON CREEK

Thank you for your correspondence received 31 January 2022 pursuant to Section 19 of the *Planning and Environment Act 1987*.

Council has given the Department of Environment, Land, Water and Planning (DEWLP) notice of a proposed planning scheme amendment that seeks to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

The Amendment seeks to:

- Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan;
- Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP);
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping;
- Deletes Planning Scheme Maps LSIO-FO Map Nos. 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIOFO, 9LSIO-FO, 10LSIO-FO, and 52LSIO-FO;
- Amend Planning Scheme Maps LSIO-FO Map Nos. 11 LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26L.SIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41 LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61 LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91 LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101 LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111

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VICTORIA State Government

OFFICIAL

Document Set ID: 2299918
Version: 1, Version Date: 08/03/2022

LSIO-FO, 112LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO.

- Inserts Planning Scheme Maps LSIO-FO Map Nos. 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71 LSIO-FO, 76LSIO-FO, and 1 ^LSIOFO.

DELWP has considered the above application and does not oppose the amendment.

If you have any queries, or require clarification please contact gippsland.planning@delwp.vic.gov.au.

Yours sincerely

[redacted]

Program Manager Planning and Approvals
Gippsland Region | Central East Hub

Submission 50

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From: [redacted]
Sent: Mon, 07 Mar 2022 11:57:19 +1100
To: Latrobe Central Email
Subject: Attention Strategic Planning - Amendment C131 - Objection
Attachments: Proposed Flood Overlay - Amendment C131.pdf, Current Flood Overlay.pdf

Attention Strategic Planning

RE: Amendment C131 - Objection

The Latrobe planning scheme amendment C131 proposes to include [redacted] in a new flood overlay. See attached Proposed Flood Overlay and Current Flood Overlay.

This proposed flood overlay will affect the value of my owner's corporation insurance as well as property values, **it may also mean that the owner's corporation and individual owners in the complex are unable to insure.**

1. I object to the proposed amendment C131 and specifically planning scheme maps 56LSIO-FO, particularly as I have been the owner of unit [redacted] since 2005 and cannot recall any times water has entered the grounds, no damage or impact to this property or others (in this unit complex) has been sustained during any flood events in Traralgon during this time. This includes the most recent major floods in June 2021 whereby an all-time record Traralgon Creek flood level was observed.

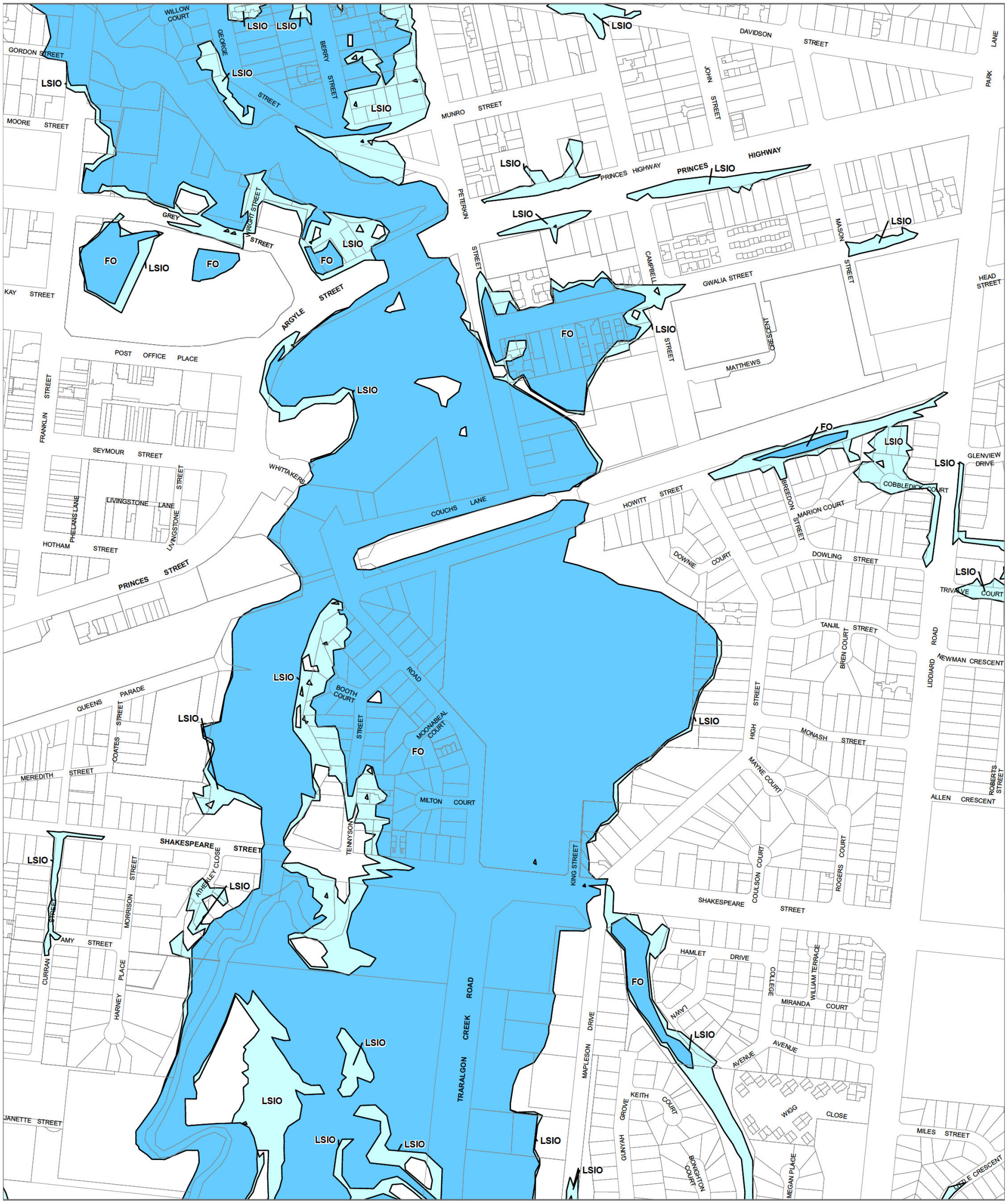
2. I propose that amendment C131 including planning scheme maps 56LSIO-FO be updated to exclude [redacted] from the flood overlay.

Regards

[redacted]

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

Municipal Boundary

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0 150 300
Meters

Australian Map Grid Zone 55

NORTH

Planning Group
Printed: 27/07/2021
Amendment Version: 1

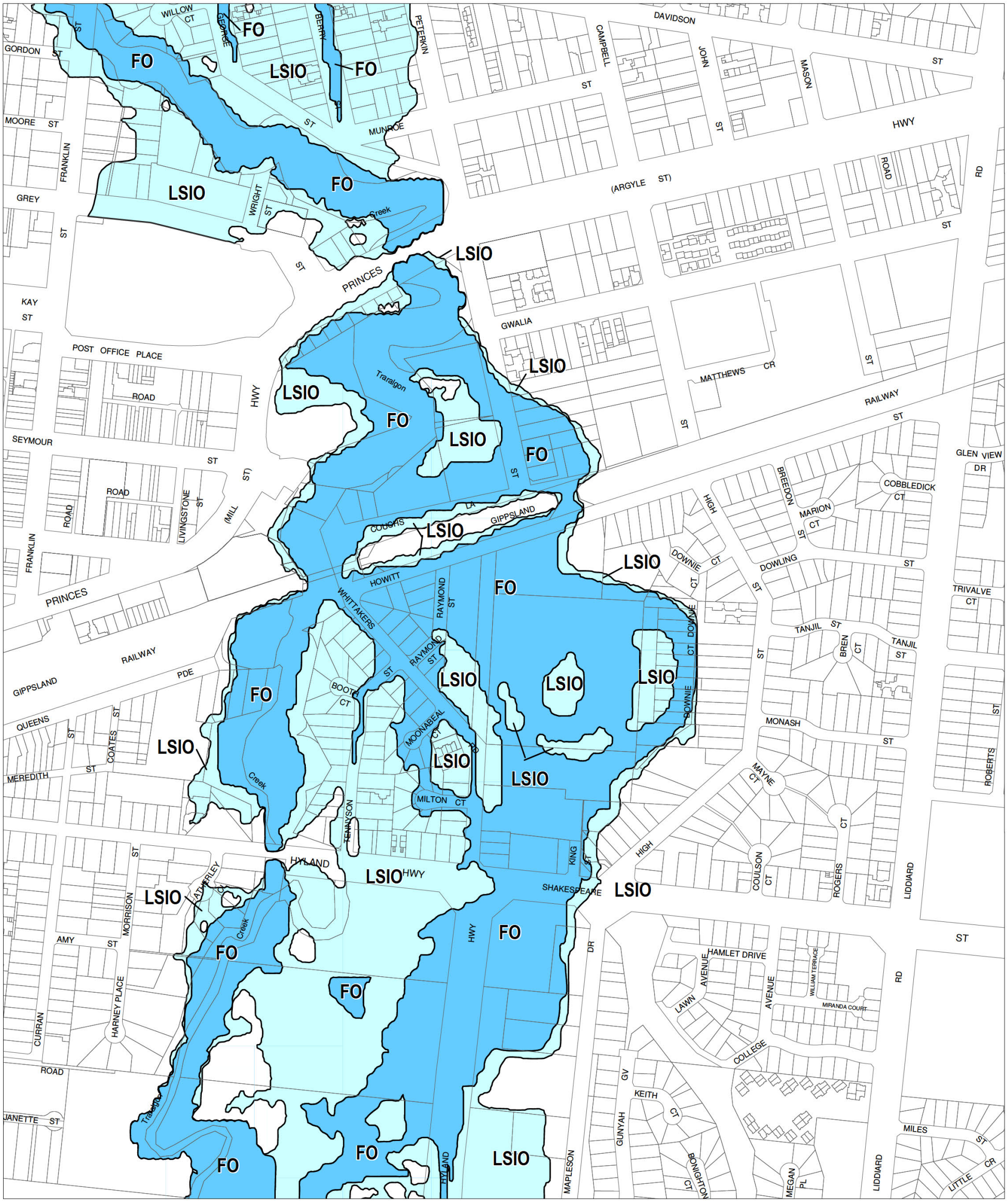
VICTORIA State Government | Environment, Land, Water and Planning

INDEX TO ADJOINING SCHEME MAPS

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 56LSIO-FO**

Document Set ID: 2299566
Version: 1, Version Date: 07/03/2022

LATROBE PLANNING SCHEME - LOCAL PROVISION



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This map should be read in conjunction with additional Planning Overlay Maps (if applicable) as indicated on the INDEX TO MAPS.

Overlays

- FO — Floodway Overlay
- LSIO — Land Subject To Inundation Overlay

100 0 100 200 300 m

AUSTRALIAN MAP GRID ZONE 55

N

State Government Victoria

INDEX TO ADJOINING METRIC SERIES MAP

Printed: 10/8/2012

AMENDMENT C9

LAND SUBJECT TO INUNDATION & FLOODWAY OVERLAY

MAP No 56LSIO-FO

Document Set ID: 2299566
Version: 1, Version Date: 07/03/2022

Submission 51

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From: [redacted]
Sent: Mon, 07 Mar 2022 17:16:09 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning

[redacted]

I am writing to strongly object to the proposed changes to flood controls (amendment C131). Whilst the provided maps of the amendment are mediocre at best for showing the actual changes suggested, regardless the idea that my house is in a flood overlay area is something I strongly disagree with.
I'd like to point to the most recent floods that Traralgon experienced, which were supposedly the worst in close to 100 years, didn't come close to my property or have any impact on it whatsoever. Therefore including my property in a flood area makes very little sense.

Regards.

Document Set ID: 2299944
Version: 1, Version Date: 08/03/2022

From: [redacted]
Subject: Re: Submission to Amendment C131 (Flood Overlays Update)
Date: Tuesday, 2 January 2024 10:17:44 AM
Attachments: image001.png
image002.jpg
image003.jpg
image004.jpg
image005.jpg
image006.jpg
image007.jpg
image008.jpg
0.png
image003.jpg

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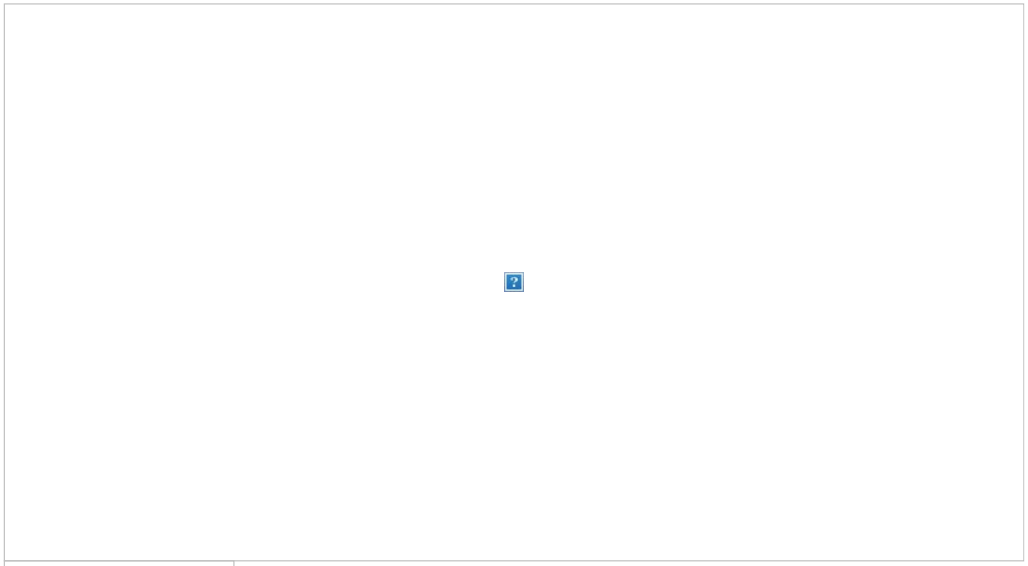
This is satisfactory.

Thank you.
[redacted]

On Tue, 19 Dec 2023, 2:29 pm [redacted] wrote:

> Good afternoon [redacted],
>
> I am writing to you to update you on the status of your submission to Amendment C131 received on 7 March 2022.
>
> After exhibition of the Amendment C131 closed on 7 March 2022 significant further work has been undertaken to consider submissions including a peer review of the background reports and the amendment documents (see attached).
>
> As a result of this further work, your property at [redacted] has had the flood overlays removed from the land.
>
> Specifically, the overlay was removed as it was mapping possible stormwater inundation not riverine flooding. The updated mapping is shown below (your property is outlined in red).
>
> 
>
>
>
> If this satisfies your objection to Amendment C131, could you please advise council officers in writing that you withdraw your submission.

For further information regarding this matter please contact Tegan McKenzie, Principal Strategic Planner by e-mail at [redacted]

[redacted]

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840

****
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Submission 52

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From: [redacted]
Sent: 7 Mar 2022 23:19:11 +1100
To: Latrobe Central Email
Subject: Attention: Strategic Planning C131 submission

To the C131 submission reviewer,

I'm uncertain as to what a submission constitutes however I have the following concerns that have been allayed by a face to face. I don't actually understand why a submission or consultation period is made since according to policy 13a of Victorian floodplain management strategy if the new levels are genuinely as identified 1% AEP then Latrobe Council has no choice and community submissions are a waste of time. However, herewith my comments.

Overarching comment: This change is enormous and begs the question of its accuracy or that of studies in the past on which significant works such as the franklin street bridge were justified. As I am not competent to argue the 2019 study reports definition of a 1% AEP event the following comments form my submission.

I object to this amendment as proposed based on the following:

1. This added zoning does not provide meaningful protection from floods to a pre-existing property; which represents the largest part of the change.

Commentary:

Your Website states that "Land use planning is recognised as being the best means for avoiding future flooding problems.". Which is misleading. I refer to West Gippsland floodplain management strategy report 2018-2027 (WGCMA1827 herein) section 3 points 2 and 3. Certainly planning schemes can avoid future risks but this does not reduce anything when applied retrospectively to existing lots/properties/division. This applies to "future risks' of "future planning". As your intro on this topic states "Approximately 1,531 properties will have flood overlays added or amendment on their land, and 335 properties will have flood overlays removed from them". This suggest to me that 1531 properties gain added liabilities for being located in a retrospectively re-drawn flood zone but gain nothing in term of meaningful added flood protections which is covered by WGCMA1827 section 2 and does not make mention of planning schemes. From the Australian insurance council website : "It's important to understand that insurers can't reduce the impact of a flood. **It is up to governments to reduce the risk of flood to communities through investing in permanent physical mitigation measures, such as levees and flood barrages."** This rings true for overlays on existing property. Finally in my closing remark on this matter in section 3 point 4 "Even with the most rigorous land use planning and building systems in place, the residual risk of extreme flood events with a very low probability remains"

Sample alternative Alternatives:

Added freeboard rather than overlay policy for existing properties under special building overlay or similar. This would cover the planning requirement for future subdivisions in this manageable area.

2. Mitigation works

Rather than update the overlays; its now been five years since the Traralgon bypass levee project was identified as a project to look very closely at. With the potential to prevent 5.5M in damages; how is this project progressing? If it's actually planned then this C131 should be halted until its completed. Irrespective of its planning (on the presumption this proposal will go ahead) I am be seeking assurance that the flood boundaries be re-drawn at its completion to reflect the relevant changes.

Table 5-1 Mitigation Impacts and Cost - Benefit

	Existing Conditions	Mitigation Option 1 (Traralgon Bypass Embankment)	Mitigation Option 2 (Whittakers Rd Levee)
Properties Flooded (1% AEP)	319	174	248
Properties Flooded Above Floor (1% AEP)	90	4	54
1% AEP Damages	$6,779,053	$ 1,129,262	$ 4, 882,928
AAD	$358,777	$ 196,150	$ 314,881
Cost - Benefit	N/A		0.30

3. Insurance

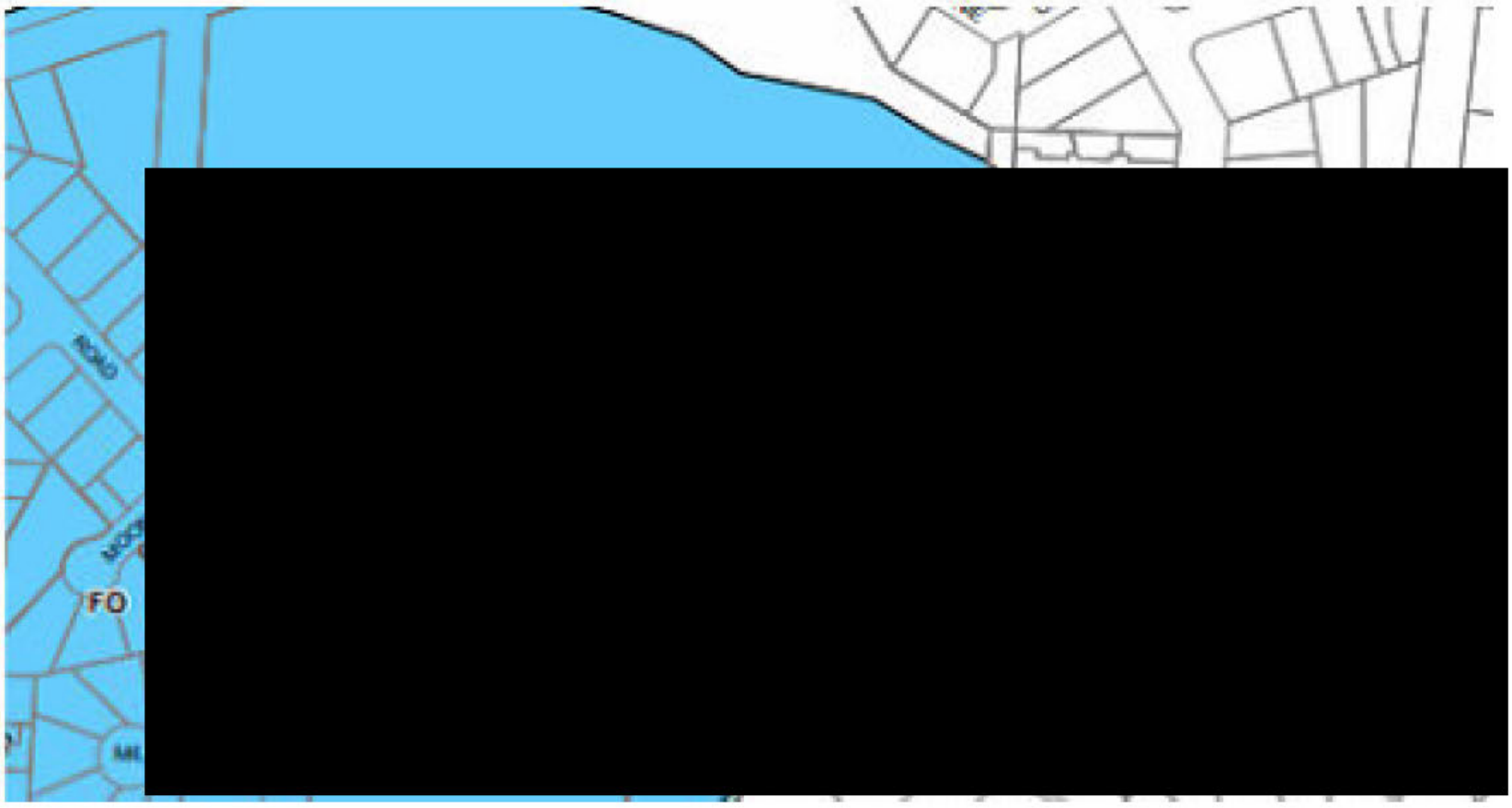
No-one knows what insurance will do with their risk calculation in this space. We just got this property less than 12 months ago and are now facing the prospect of a huge insurance bill or being effectively uninsurable despite doing all our due diligences prior to the purchase of this property. We will likely now be financially penalised for a planning scheme that offers no real reduction of any actual future flood event; It simply adds liability whether is be an outbuilding, or vehicle parked on the property or in an outbuilding now likely within a specified overlay, that skyrockeetd by a matter of Metres!

4. Retrospective changes that are this significant effect the value and risk to value perception of a property.

Comments: My property under proposed C131 changes brings the water approximately 20m onto my property where previously it was barely touching. This is on a very sloping block as the change in flood height is so significant. Using my circumstance as an example; we purchased less than 12 months ago on a block extremely close to town with high development potential. This proposal would decimate the development potential. We currently have no plan to develop, but intended to live here for quite some time knowing that development was a great exit strategy. The various reports suggest that earthworks

and development in or even near these boundaries should be discouraged. Effectively with the stroke of a pen our property potential is nuked. This is not to say that developing with respect to a flood overlay would be bad; but the types of considerations for this could still be made. I spoke with this in detail with [redacted] and [redacted] who both assured me that development of this property in particular would not be within the bounds of 'discouragement' or similar. I am wanting to have this on record in the event we do want a subdivision in the future, that submissions to council will be treated with co-operative consideration of this huge change in flood levy and any potential development. Bens comments also covered that since access/escape would be away from flood area development remains quite feasible and that the freeboard ABOVE the 1% are not necessarily a requirement or that earthworks in this area would be of any real concern from a flood management perspective. The council must specify a minimum floor level with a freeboard margin of at least 300 mm above the 1% AEP flood level, **unless the floodplain management authority consents to a lower level.** The regulations do not apply to a Class 10 building (non-habitable garage, carport or shed), an unenclosed floor area of a building or an extension to an existing building which is less than 20 square metres. (DWELP Guidelines for Development in Flood Affected Areas February 2019).

Document Set ID: 2299955
Version: 1, Version Date: 08/03/2022



Document Set ID: 2299955
Version: 1, Version Date: 08/03/2022

Comments:

1. On my face to face zoom I was assured that the flood level being used is the 1% AEP without additional freeboards including those for sea level rises. If this mapping does not encompass only the calculated 1% AEP based on a ten year planning cycle then I will have some strong additional objections.

Thanks for taking the time to read my submission.

Document Set ID: 2299955
Version: 1, Version Date: 08/03/2022

Kind Regards,

[redacted]

[redacted]

Document Set ID: 2299955
Version: 1, Version Date: 08/03/2022

Submission 53

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Latrobe City Council

DOC22/182274

Date Received: 08-Mar-2022

Latrobe City
a new energy

Latrobe City ABN 92 472 314 133
Telephone 1300 367 700
Facsimile (03) 5128 5672
TTY (03) 5135 8322
Post to PO Box 264 Morwell 3840
Email Address latrobe@latrobe.vic.gov.au
Internet www.latrobe.vic.gov.au
AUSDOC DX217733

Submission to Amendment C131 – Flood Overlays Update

Name [redacted]

Address [redacted]

Phone Number [redacted]

Email Address [redacted]

Your views on the amendment (~~support or~~ object):

I OBJECT TO THE PROPOSED OVERLAY (ESIO) AT THE REAR OF MY PREMISES IN [redacted]
BY THE AERIAL PHOTOGRAPH IT SHOWS THAT ENCROACHES ON MY PROPERTY WHILE IN FACT THE AREA MARKED IS ABOUT 1 METRE HIGHER THAN WHERE THE WATER FLOWS.

WHEN YOU LOOK AT (F6) PROPOSED AERIAL SHOT IT SHOWS THE WHOLE OF THE PADDOCK BEHIND MY RESIDENCE INUNDATED.
I BELIEVE MORE WE HAVE PROBLEMS.
1/ WHY DOES ENGLISH ST. ACT LIKE A DAM WALL?
2/ WHY DOES THE WATER FROM THE SETTLING/FILTRATION POND RUN ONTO THE PADDOCK.

I WOULD THINK THAT THE DRAIN BESIDE [redacted] SHOULD BE USED TO DRAIN THE PONDS WITH ONLY OVERFLOW BEING DIRECTED ACROSS THE PADDOCK. IF YOU LOOK AT HOW OVERGROWN THE DRAINS FROM THE PONDS ARE THIS MAYBE THE CAUSE. IF THE INTENT IS TO DRAIN ~~ACROSS~~ ACROSS THE PADDOCK PUT IN A STORMWATER.

WHILE THE DRAIN AT THE BOTTOM OF [redacted] WAS CLEANED RECENTLY I DON'T BELIEVE THE PIPE UNDER WAS. MAYBE 2 PIPE ARE REQUIRED.
THE DRAIN AFTER ENGLISH ST DOESN'T HAVE FREE FLOW, IT JUST DRAINS TO PADDOCK I'M TOLD.

1

Document Set ID: 2300001
Version: 1, Version Date: 08/03/2022

LatrobeCity
a new energy

Latrobe City ABN 92 472 314 133
Telephone 1300 367 700
Facsimile (03) 5128 5672
TTY (03) 5135 8322
Post to PO Box 264 Morwell 3840
Email Address latrobe@latrobe.vic.gov.au
Internet www.latrobe.vic.gov.au
AUSDOC DX217733

Submission to Amendment C131 – Flood Overlays Update

Name..... [redacted]

Address... [redacted]

Phone Number... [redacted]

Email Address... [redacted]

Your views on the amendment (support or object):

WHEN TALKING OF FLOODING A PROBLEM EXISTS ON THE NORTH SIDE OF [redacted] AS IN HEAVY RAINS THE CATCHMENT AREA DRAINS TO THE REAR OF THESE BLOCKS AND FLOODS YARDS.
I BELIEVE A REQUEST WAS MADE FOR A SPOON DRAIN AND WAS APPROVED BY COUNCIL (HEARSAY) BUT I DON'T BELIEVE ANY ACTION TAKEN. COULD THIS BE FOLLOWED UP AND ACTION TAKEN TO REMEDIATE THE PROBLEM?

SUMMARY:- I THINK THE WHOLE PROBLEM IS ABLE TO BE RESOLVED BY IMPROVING DISPOSAL OF WATER WEST OF [redacted]
CLEANING EXISTING WATER WAYS AND PIPES
SURVEYING LEVELS AND DETERMINING ANY ADDITIONAL CHANNEL / DRAINS.
I WOULD THINK THE WHOLE PROBLEM EXIST BECAUSE ENGLISH ST ACTS AS A DAM, THAT INSUFFICIENT DRAINAGE HAS BEEN INSTALLED.
I ALSO THINK THAT THE CATCHMENT AREA EAST OF THE SETTLING POND WOULD BE OF INSUFFICIENT SIZE TO CAUSE A MAJOR FLOOD PROBLEM OF THE ORDER THE LSIO INDICATES.
PLEASE RECONSIDER AS I BELIEVE IT IS NOT NECESSARY

[redacted]

2

08/03/2022

Document Set ID: 2300001
Version: 1, Version Date: 08/03/2022

From: [redacted]
To: [redacted]
Subject: RE: AMENDMENT C131 – UPDATE ON WRITTEN SUBMISSION
Date: Tuesday, 5 December 2023 2:31:31 PM
Attachments: image001.jpg
image002.jpg
image003.jpg
image004.jpg
image005.jpg
image006.jpg
image007.png

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Good afternoon [redacted]
In response to your email I can only expect that the address given is supposed to refer to [redacted]
If this is the case then I would like to withdraw my submission.
The revised flood plain to me more accurately represents the situation given the size of the catchment area.
Thank you for keeping me informed.
Regards
[redacted]

From: [redacted]
Sent: Monday, 20 November 2023 2:10 PM
To: [redacted]
Subject: AMENDMENT C131 – UPDATE ON WRITTEN SUBMISSION

Dear Mr Bruerton,

AMENDMENT C131 – UPDATE ON WRITTEN SUBMISSION

I am writing to you to update you on the status of your submission to Amendment C131 received on 6th March 2022.

After exhibition of the Amendment C131 closed on 7 March 2022 significant further work has been undertaken to consider submissions including a peer review of the background reports and the amendment documents (see attached).

As a result of this further work, your property at [redacted] has had the flood overlays removed from the land.

Specifically, mapping has been updated to match drainage works identified in the Morwell North West DCP Drainage Report WR04. The updated mapping (Map No. 71LSIO-FO and 76LSIO-FO) is attached.

If this satisfies your objection to Amendment C131, could you please advise council officers in writing that you withdraw your submission.

For further information regarding this matter please contact Tegan McKenzie, Principal Strategic Planner by e-mail at [redacted]

Yours sincerely,

[redacted]
P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Submission 54

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[redacted]

[redacted]

Chief Executive officer

Latrobe City Council

Commercial Road

Morwell .Vic. 3840

Latrobe City Council
DOC22/182276
Date Received: 08-Mar-2022

Dear Sir,

Re- Planning Scheme Amendment C131 Flood Overlays Update

I am bitterly disappointed that the proposed amendment is based on modelling from the Latrobe River Flood Study (2015) and the Traralgon Flood Study (2016). In turn these two studies would have relied on modelling or flood experiences of an earlier period. To explain this issue further –

Latrobe City's Main Drain is the Latrobe River. It does not matter whether you are in Moe, Morwell, Traralgon, Churchill, Glengarry, Yinnar, Boolarra etc. All drainage, or flood waters end up in the Latrobe River.

One also must consider the areas upstream of Latrobe City, (Trafalgar, Yarragon etc. etc.) who also contribute to drainage and flood waters to the Latrobe River.

The status or comparison of all drainage systems (including Rivers, Creeks, Gully's etc) used as a basis for the amendment to that of today must also be considered. eg. I am aware that all municipal drainage schemes work at 100% over dry periods, and at wet times something quite different. The same can be said in regards rivers, creeks etc. I am aware especially in the upper Traralgon Creek the situation has deteriorated, substantially due to lack of care and maintenance by both Council and the River Authority.

Traralgon has several Main Drains the greater being the Traralgon Creek. All these Traralgon Main Drains feed into the Latrobe River. When the Latrobe River is in flood, waters in the Traralgon Creek cannot enter the Latrobe River at the same rate as it receives floodwaters from the hill country. The Traralgon Township is sandwiched between these two factors causing extensive flooding. If we are to believe the science of Global Warming, the Latrobe River and Traralgon Creek are going to experience more severe and more frequent flooding in the future.

Proposed amendment C131 reduces the land subject to inundation along the Traralgon Creek and to finish just past the Koornalla Reserve. What is so important about this point? It should be extended to Hoggs Bridge where the Traralgon and little Traralgon creeks meet. Without bothering to investigate further I assume the hill country is not included anywhere in the amendment. The "Hill" country is where most of the flood waters come from.

Public Assets in roads and reserves have been substantially put at risk by actions and inactions of private individuals and public authorities in the upper Traralgon Creek (LeRoy) area.

Instead of fiddling around with arbitrary inundation overlay areas, there should be a full flood plan prepared, addressing options available to council to mitigate the effects or consequences of flooding, This flood Plan should cover the whole municipality.

The definition of "insanity" is to do the same old, same old approach to a problem to achieve a different result.

Every flood is different. Amendment C131 will not change in any way, the amount of water ,its flow ,its turbidity and erosion that will occur within the Municipality.

I object to the proposed amendment.

[redacted]

7/03/2022

Submission 55
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[redacted]

4TH March 2022.

The Chief Executive Officer,

Latrobe City Council,

Post Office Box 264,

MORWELL. 3824.

Latrobe City Council
DOC22/182275
Date Received: 08-Mar-2022

Dear Sir,

I recently received in the mail, notification that the Council is proposing an amendment to the planning scheme specifically in relation to flood overlays. I was also informed that no change was proposed for my property at [redacted]. That means for me that my property remains in the "Flood Prone" category. I respectfully request that my property be removed from this category and revert back to it's original classification.

Why should this occur I hear you ask? The answer is simple and it is because my property has never, yes NEVER been inundated in my lifetime and I am 87 years old. The property did flood in 1934 just before I was born when some 200 mm plus of rain fell in a very short time over the Tanjil Catchment. The water runoff quickly ran downstream into the LaTrobe plain but because of the choke effect of the LaTrobe river gorge at Yallourn, the flood waters banked up inundating the entire low lying area to the North of Moe. The water reached a height of some two and a half meters and reached almost half way up Singer's Hill in Moore Street which is that small rise opposite the bus depot. How do I know this? Because my family purchased a property in Walhalla Road and for years later we could still see the high tide mark on the interior walls left by the retreating water. The water flooded the entire Narracan Valley and places such as the Freemason's Homes and Narracan Gardens were well and truly under water. In the West, the water reached Mitchell's Road and ALL of the new estate to the West of the Mitchell's Road roundabout would have been under water.

In the year 1944, my father purchased the small farm where I now reside from [redacted]. The farm house is still there today and it is located immediately to the West of the Narracan Creek bridge on Old Sale Road. My knowledge of this area is quite intimate, I know every square inch of the land here having lived on this property and that on Walhalla Road for most of my life.

I all of that time, I have seen floods come and go but never I mean NEVER has this property nor the other properties bounded by Moore street in the West and Old Sale Road in the

Document Set ID: 2300164
Version: 1, Version Date: 08/03/2022

North been inundated. Yes the Narracan Creek flooded from time to time but the flood water has always been confined to the ancient waterways carved out by the creek's many changes of direction. By good management and the removal of the willow trees and other obstructions, the Narracan Creek has not broken its banks for some years. We also have many dams in the Narracan Creek catchment area and these dams remove a large amount of water which would normally destined for downstream.

We have some very heavy rain events in the recent past the most notorious of which deposited 75 mm of rain over this area in some twenty minutes. The storm water came down very hard and fast. The manhole cover on the drain on the corner of Jubilee and Evelyn Streets was floating on a column of water nearly a metre high even so my property did NOT flood. The storm water was confined to the roadway up to the depth of the kerbing and it dissipated in a very short time.

This is some background knowledge for your benefit because if you are going to maintain my property's classification despite never having been flooded you will be totally wrong.

In view of the fact that this entire area was flooded in 1934, why are you singling me out when there has not been an event like that since. If you are going to maintain my property as flood prone then in view of the 1934 episode, you will have to classify all of the areas up to the contour line half way up Singer's Hill. There are hundreds of homes involved as well as industries along Moore Street, Dele Tora Road and Saxton's Drive. Just think of the uproar when the owners of these properties find out that their properties are handsomely devalued and that they cannot get insurance for love nor money.

It is for the above reason and others yet to be articulated that I respectively request that you remove my property from the category of "Flood Prone" and restore it to its original classification.

Should you not be convinced of the validity of the information which I have presented to you I would be prepared to chance catching Covid by appearing before any tribuneral that you might convene in order to press my case. Remember. I have a very serious lung condition, yes a singular lung only and should I catch Covid I will die so at any hearing please ensure that it is safe for me to attend.

Yours faithfully,

[redacted]

Submission 56

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Submission to Latrobe City – Amendment C131 (Flood Overlays)

4 March 2022

[redacted]

Thankyou for the opportunity to make a submission to the proposed C131 amendment.

I am writing in respect to my 24 hectare (60 acre) property at [redacted]

The proposed C131 amendment will result in a significant portion of the property being classified as land subject to inundation.

I have participated in a zoom call with an officer from Latrobe, and this was very useful and the majority of my questions were answered. 2 questions were taken on notice and I was advised that [redacted]would call me to assist, but this has not occurred and given the zoom call was on 22 Feb I suspect that I have been forgotten. My questions were 1, "what is the definition of a floodplain? i.e the Vicsmartguide states that land under a LSIO is commonly known as a floodplain". And 2, "what is the depth of water on a property that has to occur for it to be classified as inundated?"

My reasons for asking these questions is because I cannot see a scenario where my property would ever become inundated or a "floodplain" or even the worst level of rainfall would result in anything but an **insignificant** amount of water being retained on the property that could result in inundation.

My logic for making the above statements is that any rainwater "runoff" that either enters my property or falls on my property moves across a very wide area as evidenced by the modelling work you have undertaken. This is because of the substantial fall of 12m from the top of my property (west property boundary) @ approx 60m alt to the bottom of my property (east property boundary) @ approx 48m alt.

As a result of this approx. 12m fall and the wide area for any surface water to pass through we have not experienced any inundation in the 32 years living at the property, and I cannot imagine a scenario where it would.

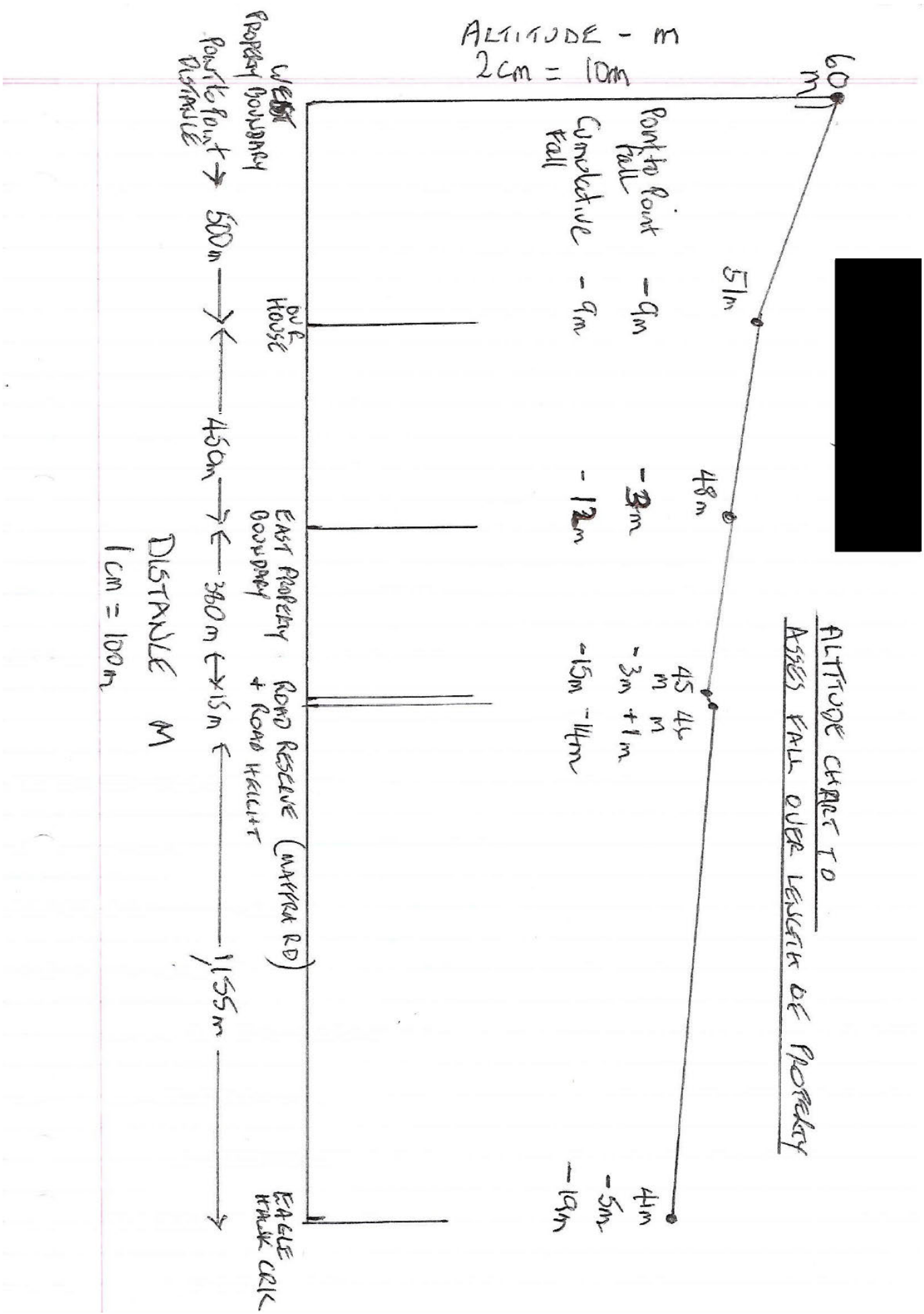
The typical outcome of any large rainfall event is that excess water flows to the corner of [redacted] approx. 400m from my east property boundary, where it can backup due to the height of [redacted] being higher than the surrounding land. In the event of a very large rain event I still don't see a scenario where the water would back-up against [redacted] and inundate my property. This is based on the following measurements I.E given that the [redacted] reserve is approximately 3m lower than my boundary altitude of 48m, meaning the water will only backup to the height of the road pavement level before eventually travelling either under or over the Maffra Rd, which is @ 46m alt (2m below and approx. 400m from my east boundary) and towards the Eaglehawke Creek, which is approx. 1,500m from my nearest boundary and approx. 7m below it at an altitude of approx. 41M.

I have attached a sketch of all the above distances and altitudes for your information

It is for these reasons that I do not consider my property to be at risk of inundation, and request that it not be included in the LSI overlay.

Regards

[redacted]


ALTITUDE - M
2cm = 10m
60 m
51m
48m
45 m
42 m
4m
Point to Point fall
-9m
-3m
+1m
-5m
Cumulative Fall
-9m
-12m
-15m
-14m
-19m
ALTITUDE CHART TO ASSESS FALL OVER LENGTH OF PROPERTY
WESTERN PROPERTY BOUNDARY
OUR HOUSE
EAST PROPERTY BOUNDARY
ROAD RESERVE (MARRA RD) + ROAD HEIGHT
EAGLE HAWK CRK
Point to Point Distance
500m
450m
380m
115m
155m
DISTANCE M
1cm = 100m

Submission 56b

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From: [redacted]
Subject: FW: Amendment C131 [redacted]
Date: Thursday, 4 August 2022 9:22:00 AM
Attachments: [redacted]

From: [redacted]
Sent: Friday, 29 July 2022 10:35 AM
To: [redacted]
Subject: Re: Amendment C131 [redacted]

Good Morning [redacted]

Thank you very much for your response yesterday [redacted], the additional discussion and response from [redacted] this morning. It certainly clarified for me the logic for inclusion of my property in LSIO, as I had incorrectly assumed that the inundation was coming from the Eaglehawk creek catchment, and not overland flows from the west.

Since the modelling was undertaken significant drainage work has been undertaken to [redacted] adjacent to [redacted] and at the intersection with [redacted] was also reformed and drainage upgraded. From recent heavy rainfall it is evident that considerable flows from the west flow down [redacted] to the swampy area at its intersection with [redacted] As a result I think that these works have significantly reduced the volume of runoff that would head south east and into the top of my property.

Given this new information I would greatly appreciate it if Council/WGCMA would reassess if these new road/drainage works would reduce the overland flows onto my property such that the LSIO would not be triggered for my property.

Regards

[redacted]

Sent from my iPad

On 29 Jul 2022, at 9:54 am, [redacted]:

OFFICIAL

Good morning [redacted],

Further to our conversation yesterday please see below written explanation of the flood behaviour on your property.

The property does not experience flooding from Eaglehawk Creek. The property experiences flooding from the unnamed waterway (sometimes locally referred to as Yellow Drain) located on the neighbouring properties immediately west of [redacted]. *The flood waters from this waterway breakout and overtop* [redacted]

[redacted] *and impact the property.*

Additionally, flood water flows from the hills down to the Latrobe River, with part of its path covering the subject property. This is why this property is subject to flooding whereas other properties further downstream that are lower are not.

Flood depths on the property during a 1% AEP flood event reach up to 0.5m

Pleased don't hesitate to get in touch if you have any further questions.

Thanks

[redacted]

From: [redacted]
Sent: Wednesday, 27 July 2022 9:08 AM
To: [redacted]
Cc: Cr Kellie O'Callaghan <Kellie.O'Callaghan@latrobe.vic.gov.au>
Subject: Amendment C131[redacted]

Thankyou for the amendment C131 FAQ email dated 4 July 2022 and the opportunity to present my objection to the Special Council meeting of 16 June.

The cover letter to the FAQ's was a generic template, as were the FAQs attached. In addition, the links in the document to definitions of LSIO and FO do not work and I have been unable to reconstruct what the correct link may be.

The generic cover letter states that my submission has been carefully considered and the FAQ's should help alleviate some of my concerns. **I strongly feel that this is not the case and that my submission has not been adequately considered,** in fact the information provided on LSIO and definitions of Floodplain, Flood and Riverine Flooding have made me even more certain that my property should not be included in the LSI overlay.

In my submission and when I presented to the Special Council meeting I specifically requested that my property be excluded from the LSI overlay. **I have received no correspondence in respect to this specific request**, so am I to presume that my request has been denied? or is it still under consideration?

I am aware that many people who submitted objections to the C131 amendment have been personally contacted as part of the process, and site visits to individual properties have been conducted. I am aware that in multiple cases those properties have now been removed from the overlays and property owners were then requested to retract their objections. (See Latrobe website – Amendment C131 submissions).

I am also aware that the reasoning for removing some of the above mentioned properties from the overlays was the specific elevation of those properties when compared to other low lying areas closer to the waterway in question, that became evident after additional evaluation. This is exactly the basis of my objection. I am concerned that as I am just one property owner in a rural area I have not received the same attention that the more numerous objectors received in specific areas of Traralgon.

As illustrated in my submission my property is approx 60 acres of farm land. The fall from the top of my property to the bottom is approx 12M. The lowest point of my property is approx 7M higher than the Eagle Hawk creek, where any riverine flooding would emanate. The Glengarry recreation reserve and primary school are between my property and the Eaglehawk creek. They have not been included in the LSIO and yet they are approx 4M lower than the lowest point of my boundary. The south side of Cainbrook Rd contains significant numbers of Glengarry residential dwellings, and if my property was to be inundated with 100mm at the lowest point then these homes would be under 5M of water near Carinbrook Rd, and under 10M of water at the southern edge of the town. I believe that the above demonstrates that my property does not meet the definition of LSIO, and if further consideration to my proposal had been undertaken or a site visit conducted then it would be obvious that my property should not be included in the overlay.

From your website I am aware that *"once submissions have been assessed, and where possible addressed, the matter will be presented to the Ordinary Council Meeting on 1 August 2022, where council officers will seek a resolution to progress to a Planning Panel."*

Can you please advise me **prior to the Council meeting on 1 August** the status of my objection, where I specifically requested my property be removed from the LSI overlay i.e

- Why have I not been consulted directly or received any correspondence directly relating to my objection?
- Is my objection yet to be considered?
- If it has been specifically considered what work was done and what was the outcome of the assessment?

Thankyou in anticipation

Submission 57

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Submitted on Sun, 2022-03-06 12:41

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Confidentiality
Please withhold my name from public documents such as Council reports

Your Submission

My submission is
I strongly object to my property - [redacted] - being included in the LSIO Planning Amendment. I have lived at this property for almost 30 years & the two instances of flooding in this Court was as a result of the majority of the water coming out of the stormwater pipes & not from inundation from a natural watercourse. Your LSIO amendment seems to be very specific in our Court & my property almost entirely included in the Plan. In both flooding instances, there was no damage to my property, whereas properties in surrounding streets had significant damage & are not included in the Plan.
I would appreciate if you could re-examine the Plan & remove my property from it.

[redacted]

Submission 58

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Submitted on Sun, 2022-03-06 15:42

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is
We are inundated with storm water that comes from the reserve adjacent to our property every time there is a significant rainfall. We advised Council last year about this issue and a contractor inspected the pipes in the reserve a few weeks later. He advised us that there are 2 x 600 mm pipes running into a 700 mm pipe which could not cope with the heavy rainfalls. Because of this the storm water pools in the reserve then overflows into the neighbouring properties.
There were roots in the pipes from two large trees in the reserve and they were cleaned out by the contractor, he advised us that the pipes were also cleaned out two years ago. There has been a request by neighbouring properties to have these trees removed but they were advised that the trees were 'significant' and could not be removed. These trees were planted by a former resident of [redacted] so not sure why they are classed as significant.
Something needs to be done to fix this issue so that we don't have to sweep stormwater away to prevent it from entering our house every time we have a heavy down pour.

Submission 59
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Hello [redacted]
Thanks for your earlier maps provided.

I have drafted a number of concerns with the planning for flood mitigation in Traralgon
Could you assist with which specific amendment this submission applies? It is probably a combination.
Main issues is flood mitigation, storm water, Latrobe River and Traralgon Creek flooding effect on the community and the associated costs incurred by ratepayers.

Please comment on the details listed on this submission.
I will then submit this response.

regards

[redacted]

Planning Scheme amendments C131 flood overlays

Date: 28th February 2022

As the resident of [redacted] I wish to submit my concerns with the current planning and proposed amendments regarding flood overlays and inadequate storm water infrastructure in Traralgon.

[redacted] the proposed amendment based on the modelling incorrectly indicates flooding onto this property. Please review and revise reference to flood overlay to this property.

My main concerns are:

1. Concerns with the Stormwater drainage systems in Traralgon.

The main concern I have with flooding is the inadequate storm water drainage system in Traralgon. Storm water flooding in Traralgon occurs many times during the year and effects many residence. What action is being taken on this issue to address this concern?

Specific concerns At Traralgon Recreation Reserve

This storm water issue effects the Traralgon Recreation Reserve whenever it rains as the storm water collected from the south east residential area is channelled into a inadequately sized drain which overflows into an open drain that runs through the reserve then across Howitt St through culverts under the rail line then into the Traralgon creek just prior to the Highway bridge crossing.

This overflow creates numerous problem and is unsightly and not acceptable at a premier sporting and open space complex. What action is being undertaken to install an adequate underground drains and improve the drainage through the Traralgon Recreation Reserve then onto the Traralgon Creek

The Bridge on Howitt St restricts the flow of storm water from this overflow drain. This is due to the lack of cleaning in this area. The bridge should have been constructed at a higher level instead of the dip in the road. When this section of road floods due to stormwater numerous cars have been stranded. At this point, storm water is also collected from the Traralgon East area and adds to the problem

Additional housing development plan in these areas is adding to the severity and frequency of these storm water floods.

2. Concerns with Flooding Issues Latrobe River

Flooding on Latrobe river occurs at least twice a year. Last year it occurred four (4) times.

The main disruption is to the Traralgon/Tyers residence access via the Latrobe River bridge causeway I understand the current bridge is to be replaced in the near future, however the temporary causeway provided 50 years ago instead of replacing the original bridge is not being addressed . This

means that whenever it rains this roadway will be out of service. This occurred at least 4 times last year and this main access road C481 was out of service for many months. This is totally unacceptable in the 21st century.

Yet if this upgrade was undertaken as part of the bridge replacement this work could eliminate a potential fatality if a vehicle unknowingly drove into a flooded causeway.(this is a possibility on this road and I believe it has occurred in the past). It would also reduce the cost of undertaking this work in two stages and reduce the inconvenience of the public to another period the road would be out of service.

What action is proposed to improve this issue? The costs and risks need to be published.

3. Traralgon Creek Flood Mitigation

Major flooding on Traralgon creek occurs approx. every 10 years. This requires mitigation as recommended in the June 2016 Flood Study and the Jan 2016 Traralgon Bypass Retarding Basin Modelling . Is this recommendation to construct an embankment as part of the highway bypass being implemented? Need to confirm these work will be undertaken

Cleaning up the Traralgon creek on a regular basis is required to avoid blockages which contribute to flooding. Can a schedule and the responsible organisation be provided to address this concern? Need confirmation and assurance this work will be undertaken on a regular time frame by the responsible authorities.

regards

[redacted]

[redacted]

.

Submission 60

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From [redacted]
Date: Mon, 28 Feb 2022, 22:29
Subject: Attention: Strategic Planning
To: <latrobe@latrobe.vic.gov.au>
Cc: <[redacted]>

Hello,

I am the resident and property owner of [redacted].

I have received notice of the proposed overlay LSIO AM C131,

This letter is to notify Latrobe City that I am not in support of the proposed planning change.

This overlay affecting [redacted] appears unnecessary on first review. There are no nearby bodies of water, and the area was not affected in the most recent Traralgon Creek event. The properties listed in the overlay are a kilometer away from the nearest point of Traralgon Creek.

I would like to request that the overlay amendment affecting [redacted] be cancelled, or at a minimum a deferral so that additional information may be collected.

The reasons for my request are as follows:

1) The land is gently sloped with the southern end of the property higher than the north. I am in the process of manually surveying the properties [redacted] to create a more accurate picture of the area. At present I have made measurements of my own property and found that [redacted] has an average grade of 3.8% between the rear fence line to the front boundary. Additional data from the other properties subject to this amendment will be available shortly.

2) The street itself is lower again by 40-45cm than the front property boundary. I have owned the property since 2013 and water from any rain event has always flowed along the driveway or spoon drain to Strathcole Drive successfully.

3) This neighbourhood is 40 years old. This is a long time for a property to be standing before it gets picked up as land subject to inundation unless something has changed between 1980 and 2022.

4) The overlay will adversely affect the values and costs associated with maintaining these properties.

Thank you for your time,
--

[redacted]

Submission 61

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From: [redacted]
Sent: Sat, 19 Mar 2022 15:58:31 +1100
To: Latrobe Central Email
Subject: submission to Amendment C131
Attachments: latrobe City c131.pdf

Please find my submission to Amendment C131

Regards
[redacted]

Latrobe City ABN 92 472 314 133
Telephone 1300 367 700
Facsimile (03) 5128 5672
TTY (03) 5135 8322
Post to PO Box 264 Morwell 3840
Email Address latrobe@latrobe.vic.gov.au
Internet www.latrobe.vic.gov.au
AUSDOC DX217733

Submission to Amendment C131 – Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO)

Name [redacted]

Address [redacted]

Phone Number [redacted]

Email Address [redacted]

Your views on the amendment (~~support~~ or object):

I object to the new amendment as I believe the previous underlay appeared to be a more accurate assessment of a 1-100 year flood. based on my experience in the area. When I asked the representive at my meeting what would be a predictive water rise in such a flood through our property and possibly 50mm, that may look possible on their map, which is an overhead shot, it does not show a side elevation of the area, which contains a lot of areas which would hold water before even getting to where they say it would. Also the Traralgon / Maffra Rd Intersection with Cairnbrook Rd into Glengarry has a high camber facing towards where the water would come from also holding the flow of water back. With the construction of the new roundabout there has been significant drainage work taken place which channels the water through a natural course to the Latrobe river, I also believe that if their storm water system was adequate it would alleviate the advent of this water flow of 1-100 event.

Regards.

[redacted]

Submission 62

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From: [redacted]
Sent: Tue, 22 Mar 2022 10:54:30 +1100
To: Latrobe Central Email
Subject: Submission to Amendment C131 - Land Subject to Inundation Overlay [LSIO] and Floodway Overlay [FO]
Attachments: Objection to Proposed C131 LSIO & Flood Overlay March 22 2022.pdf

As per you letter RE: Community consultation at Glengarry and acceptance of late submissions.
Please accept our attached Submission to Amendment C131 - Land Subject to Inundation Overlay [LSIO] and Floodway Overlay [FO]
[redacted]

Latrobe City ABN 92 472 314 133
Telephone 1300 367 700
Facsimile (03) 5128 5672
TTY (03) 5135 8322
Post to PO Box 264 Morwell 3840
Email Address latrobe@latrobe.vic.gov.au
Internet www.latrobe.vic.gov.au
AUSDOC DX217733

Submission to Amendment C131 – Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO)

Name: [redacted]

Address: [redacted]

Phone Number: [redacted]

Email Address: [redacted]

Your views on the amendment (~~support or~~ object):

As we have lived on this Property for approx 20 Years we find your proposed LSIO/FO incorrect and would like areas marked A + B removed from Proposal for the following reasons.

① Area marked A has not been ~~seen~~ Previously effected by flood and is at a higher ground level than that of D, Also has the ability to run off to Area D.

② Area marked B was a 8 meter Round Depression ~~or~~ approx 1.2 m Deep, it has been filled in to ground level within the last 2 years and is No longer able to hold water + Runs off to area D.

③ Area marked C NEVER floods within our Property. The ground level here is again Higher than Area D.

The actual Roadway Partially floods from time to time as the Road drains are often blocked. These road drains are never cleaned out by council and hence the reason of Partial flooding on the Roadway. At times my neighbor cleans + unblocks the drain when flooded to allow Road water to Drain.

④ Area Marked E + F WE have never seen flooded in 20 years.

Document Set ID: 2304200
Version Date: 22/03/2022

[redacted]

Document Set ID: 2304200
Version Date: 22/03/2022

Submission 63

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From: [redacted]
Sent: Wed, 09 Mar 2022 17:26:38 +1100
To: Latrobe Central Email
Cc: [redacted]
Subject: FW: PLANNING SCHEME AMENDMENT C131- Flood mapping Update
Attachments: PSA_SUBMISSION_C131latr.pdf

Please find attached CFA's Submission to Planning Scheme Amendment C131latr.

Please feel free to contact either [redacted] or myself if you have any questions.

Regards

[redacted]

[redacted]

Protecting lives and property cfa.vic.gov.au

From: [redacted]
Sent: Tuesday, 1 February 2022 4:32 PM
Subject: PLANNING SCHEME AMENDMENT C131- Flood mapping Update

Dear Sir/Madam,

LATROBE PLANNING SCHEME, AMENDMENT C131 (FLOOD OVERLAYS) - NOTICE OF PREPARATION OF AN AMENDMENT UNDER THE PLANNING AND ENVIRONMENT ACT 1987

Latrobe City Council has prepared Amendment C131 to the Latrobe Planning Scheme, which proposes to update flood controls based on modelling from the *Latrobe River Flood Study* (2015) and the *Traralgon Flood Study* (2016).

The amendment affects 65,614ha of land within the Latrobe municipality which is within proximity of the Latrobe River and the Traralgon Creek, and considered to be at risk of flooding.
The Amendment seeks to:

- Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan;
- Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP);
- Amends the Schedule to Clause 72.03 (Schedule to Clause 72.03 What Does This Planning Scheme Consist Of?) to reflect the amended FO/LSIO mapping;
- Deletes Planning Scheme Maps LSIO-FO Map Nos. 2LSIO-FO, 5LSIO-FO, 6LSIO-FO, 7LSIO-FO, 8LSIO-FO, 9LSIO-FO, 10LSIO-FO, and 52LSIO-FO;
- Amend Planning Scheme Maps LSIO-FO Map Nos. 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 26LSIO-FO, 28LSIO-FO, 29LSIO-FO, 34LSIO-FO, 35LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 68LSIO-FO, 69LSIO-FO, 70LSIO-FO, 72LSIO-FO, 73LSIO-FO, 74LSIO-FO, 77LSIO-FO, 78LSIO-FO, 79LSIO-FO, 82LSIO-FO, 83LSIO-FO, 84LSIO-FO, 85LSIO-FO, 86LSIO-FO, 87LSIO-FO, 88LSIO-FO, 91LSIO-FO, 92LSIO-FO, 93LSIO-FO, 94LSIO-FO, 96LSIO-FO, 97LSIO-FO, 99LSIO-FO, 100LSIO-FO, 101LSIO-FO, 102LSIO-FO, 104LSIO-FO, 106LSIO-FO, 107LSIO-FO, 108LSIO-FO, 109LSIO-FO, 110LSIO-FO, 111LSIO-FO, 114LSIO-FO, 115LSIO-FO, 116LSIO-FO, 117LSIO-FO, 118LSIO-FO, 119LSIO-FO, 120LSIO-FO, and 121LSIO-FO.
- Inserts Planning Scheme Maps LSIO-FO Map Nos. 4LSIO-FO, 32LSIO-FO, 33LSIO-FO, 40LSIO-FO, 51LSIO-FO, 55LSIO-FO, 57LSIO-FO, 62LSIO-FO, 67LSIO-FO, 71LSIO-FO, 76LSIO-FO, and 112LSIO-FO.

We are writing to you because you may be affected by the proposed amendment. According to Latrobe City Council records you own and/or occupy land that has been identified as being of interest in regards to the contents of the proposed Planning Scheme Amendment.
Enclosed with this letter is the formal notice of the amendment which is being sent in accordance with Section 19 of the *Planning & Environment Act 1987 (*the Act).
Full details of the amendment can be found on Latrobe City Council's website:
https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments

Or you may inspect the amendment documentation at the following locations:

- 141 Commercial Road, Morwell Vic 3840,
- 34-38 Kay Street, Traralgon Vic 3844,
- 1-29 George Street, Moe VIC 3825,
- 9-11 Phillip Parade, Churchill VIC 3842
- At the Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection

The amendment will be on public exhibition from 3 February 2022 to 7 March 2022 and this is your opportunity to make a submission to the proposed Amendment.
Officers are available to discuss the amendment via Zoom information sessions. To schedule a 1:1 Zoom meeting with a Council Planner at one of these sessions, please contact Strategic Planning on 1300 367 700 or email StrategicPlanning@latrobe.vic.gov.au
Information sessions are scheduled for:

- Monday 7 February, 10am-7pm
- Wednesday 9 February, 11am-7pm

- Monday 14 February, 11am-7pm
- Wednesday 16 February, 10am-7pm
- Tuesday 22 February, 10am-7pm

Any person may make a submission about the amendment, please note that the closing date for a written submission is 7 March 2022. A submission may be in support or not in support of the proposed amendment; additionally, a submission can just provide general feedback/comments for consideration. If you do make a submission, please be sure t specify which amendment your submission applies.
All submissions must be sent to:

Attention: Strategic Planning
Latrobe City Council
PO Box 264
MORWELL VIC 3840

Alternatively, submissions can be sent to Latrobe@latrobe.vic.gov.au
Please note that all submissions in relation to Amendment C131 are being collected by Latrobe City Council for the purposes of the planning process as set out in the *Planning and Environment Act 1987* (the Act). If you do not provide your name and address, Latrobe City Council will not be able to consider your submission.

Your submission will be available for any person to inspect during office hours free of charge for a period of two months after the amendment comes into operation or lapses. Copies of your submission may also be made available on request to any person for the relevant period as set out in the Act.
You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.

If you require further information, please contact [redacted] on phone [redacted] or email [redacted]

Kind Regards,

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

cfa.vic.gov.au

Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Fire Prevention and Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 27000-75545-116734
Telephone: 9767 1811
Council Ref: C131latr

9 March 2022

[redacted]
Latrobe City Council
PO BOX 264
MORWELL VIC 3840

Dear [redacted]

SUBMISSION TO PLANNING SCHEME AMENDMENT

Proposal: Amendment C131latr
Location: Land at risk of flooding near Latrobe River and the Traralgon Creek

Thank you for providing CFA notice of Amendment C131latr in accordance with Section 19 of the *Planning and Environment Act 1987*. CFA understands the proposed amendment applies to land identified as inundation within the catchments of the Latrobe River and Traralgon Creek.

CFA has reviewed the proposed planning scheme amendment and would like to make the following submission:

Land identified as inundation within C131latr is also identified as bushfire prone, and some areas are also located within a Bushfire Management Overlay. The explanatory report indicates that the amendment will not result in any increase in bushfire risk, as the amendment only seeks to manage flood risks and not enable a change in development yield.

CFA acknowledges that the focus of the amendment is to ensure the areas subject to inundation is reflected in the planning scheme. However, CFA suggests Council considers the following:

- The location of existing bushfire hazards and whether land identified as inundation will also be improving water quality by enhancing riparian vegetation along the banks of the waterway and potentially changing the bushfire risk.
- Whether there will be a change to previous bushfire mitigation measures identified and relied upon for projects to adequately respond to Clause 13.02-1S ie: areas identified for the purposes of defendable space.

cfa.vic.gov.au

Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Fire Prevention and Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

If you wish to discuss this matter in more detail, please do not hesitate to contact either [redacted] Land Use Planning Coordinator, on [redacted] or myself on [redacted]

Yours sincerely

[redacted]

[redacted]
Community Service Delivery

Submission 64

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Submitted on Wed, 2022-03-09 19:34

Submitted by: Anonymous

Submitted values are:

Your Details

Personal Details

[redacted]

Your Submission

My submission is

Hello,
i have spoken with [redacted] from west gippsland water, in which he has mentioned you are using current images however data is from 2018-2019
upon asking him for the data on elevation of the back fence of [redacted]. It in no way represents what is there.
We have a 400mm retaining wall from our property to the paddock along with a 500mm of elevation in the backyard from north to south
[redacted] is requesting that they attend our property for a full onsite survey to record the current and correct data
I do strongly this needs to be done before any amendments are made.

Regards

[redacted]:

From: [redacted]
Sent: Thu, 16 Jun 2022 07:07:03 +1000
To: [redacted]
Subject: FW: Amendment C131 (Flood Overlays Update) - [redacted]

From: [redacted]
Sent: Wednesday, 15 June 2022 5:20 PM
To: [redacted]
Cc: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update) - [redacted]

Hello [redacted]

Thank-you for you telephone conversation and email regarding the update and amendment to the proposed flood overlay changes

based on the current imaging that you have sent me today in this email

Yes we are happy to agree on these changes.

We appreciate your time and effort in reviewing and making these amendments to the previous model

If the Current image(in this email) is the NEW update then we have - NO OBJECTIONS

any further questions please contact myself directly on - [redacted]

Regards

[redacted]

-----Original Message-----
From: [redacted]
To: [redacted]
CC: [redacted]
Sent: Wed, 15 Jun 2022 16:13
Subject: Amendment C131 (Flood Overlays Update) - [redacted]

Hi [redacted],

Thanks for the phone call before. As mentioned, I am advising you that WGCMA have reviewed the modelling following exhibition of Amendment C131. The information provided to us details that it is likely the overlay can be modified on your property.

Attached is an image of the new modelling and proposed overlays. Your property is marked in red highlight, and the updated overlay in orange.

Can you please confirm whether you wish to proceed with your submission objecting to the amendment, or if you are satisfied with this information and wish to withdraw your submission.

Regards,

[redacted]

P 1300 367 700

W www.latrobe.vic.gov.au

PO Box 264, Morwell 3840

Please note my working hours are as follows:
Wednesday to Friday 8.15am – 4.45pm

****
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P.O. Box 264
Morwell 3840 Victoria Australia

www.latrobe.vic.gov.au
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Submission 65

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Submission re Flood & Inundation overlay C131

We, as the property owners of [redacted], oppose the flood & inundation overlay as proposed by Latrobe City Council (LCC)

Having been subjected to FOUR inundations from June-November 2021, we just want the issues addressed and fixed. Maps and overlays are of no benefit to us. Indeed, they are detrimental to us going forward.

These new overlays will seriously impede both our ability to sell or rent our property and will certainly affect our insurance premiums.

Our tenant has been seriously affected which, in turn, has cost us a lot of money, a considerable amount of stress and a lot of time consulting with LCC. We can be almost certain our tenant will not renew their lease. Another loss for us. The breakdown of our relationship with the tenant has been profound. It has led to loss of a part-time job in their business – another loss of income. We also had no option but to place the property in the hands of a property manager incurring yet another cost!

We have open insurance claims that cannot be closed until the drainage problems are rectified. We have no idea when that will happen.

We believe that the lack of maintenance of the storm water drainage over many years is a major factor. We also believe that the storm water system has not been adjusted or upgraded to cope with the growing township over several years.

We believe that the development of new properties, particularly along Traralgon-Maffra Rd, has adversely affected the drainage particularly along the inundation area that flows into our property.

It was disappointing to find that LCC were quite unaware of where the drainage system ran through Glengarry when we first approached them after the first two floods. We did not approach them after the first flood in June because we figured it was just a freak storm and excessive rain – 1 one in a 100-year type of event. We were not even sure we were being taken seriously at first. The anecdotal evidence we (and other residents) have been able to provide as first-hand witnesses has been vital to the residents finally being heard. It seems that council do not worry about drainage until there is a major problem.

The drainage in Glengarry must be addressed URGENTLY. We, as property owners, need to be confident that excess water will be diverted BEFORE it causes damage to property. As things currently stand, EVERY TIME there is heavy rain, we get very anxious about the havoc it may cause.

Mapping had not been done for about 12 years and we, the property owners in Glengarry will now pay the price. During a zoom meeting, the “water catchment” guy said that this would help people in the future to know where the issues lie in Glengarry. The “help” it gives people is to NOT BUY in Glengarry because the town has a flooding/ inundation issue. Also, we were told that the overlays are not removed once the issues have been addressed. You have effectually left us lumbered with “a lemon”.

We truly hope that Glengarry is not treated like the annoying little cousin of Traralgon. Things seem to move so much quicker for flood affected residents in Traralgon. One of the contractors visiting the site even told a resident that LCC were too busy in Traralgon to worry much about Glengarry and that we were well down the list. Very disappointing to say the least!

PLEASE move quickly to address ALL the drainage issues in Glengarry. That’s what we want – not a map or overlay to tell us what we already know!

From: [redacted]
Subject: Re: Amendment C131 (Flood Overlays Update)
Date: Friday, 15 December 2023 10:35:38 AM

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi [redacted]
Please withdraw my submission. That seems the easiest thing to do!!
[redacted]

On 14 Dec 2023 12:36 pm, [redacted] wrote:

> Good Afternoon,
>
> I am writing about your request to not be notified about Amendment C131 on 27 November 2023. Unfortunately, Council has an obligation to inform each outstanding submitter of each step in the amendment process. In addition, Planning Panels Victoria will contact you regarding your submission while it remains outstanding should the Amendment be referred to a Planning Panel. If you wish to no longer receive correspondence about the amendment, you will need to withdraw your submission.
>
> I note that you do not wish to withdraw your submission so that the new landowners of [redacted] are aware of the proposed amendment. In this regard, their Section 32 (Vendor Statement) should list any proposed amendments on it. Council officers are also proposing to re-exhibit the amendment, which will mean that the new landowners will be notified and have an opportunity to provide their own submission.
>
> While I appreciate that it may seem like a nuisance, if you no longer wish to be contacted regarding Amendment C131 please considering withdrawing your submission.
>
> Regards,
>
> [redacted]
> P 1300 367 700
> W www.latrobe.vic.gov.au
> PO Box 264, Morwell 3840
>
> *I acknowledge the Gunaikurnai people, the Custodians of the land where I live, learn and work. I respect and acknowledge their Elders, past and present and extend my recognition to their descendants. I recognise and respect their continued connection to the land and waters of this beautiful place, and acknowledge that they never ceded sovereignty.*
>
> Please note: Latrobe City Council wil close from 5:00 pm on Friday 22 December 2023, re-opening 9:00 am Tuesday 2 January 2024.

****
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Submission 66

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Australian Government
Civil Aviation Safety Authority

AIR NAVIGATION, AIRSPACE AND AERODROMES

CASA Ref: EC22-000079

5 April 2022

[redacted]
Strategic Planner
La Trobe City Council
PO Box 264
Morwell VIC 3840

Dear Ms [redacted]

LaTrobe Planning Scheme, Amendment C131 (Flood Overlays) - Notice of Preparation of an Amendment under the Planning and Environment Act 1987

Thank you for your letter dated 31 January 2022, which was received by CASA, 2 March 2022.

CASA has reviewed the information in your letter and has not identified any regulatory risk within the information.

Your sincerely,

[redacted]

GPO Box 2005 Canberra ACT 2601 Telephone: 131 757

Submission 67
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From: [redacted]
To:
Subject: [redacted]
Date: Tuesday, 10 January 2023 5:09:28 PM
Attachments: [redacted]

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi [redacted]

I have attached a marked-up sketch of my property which is impacted by flooding of the Morwell river.

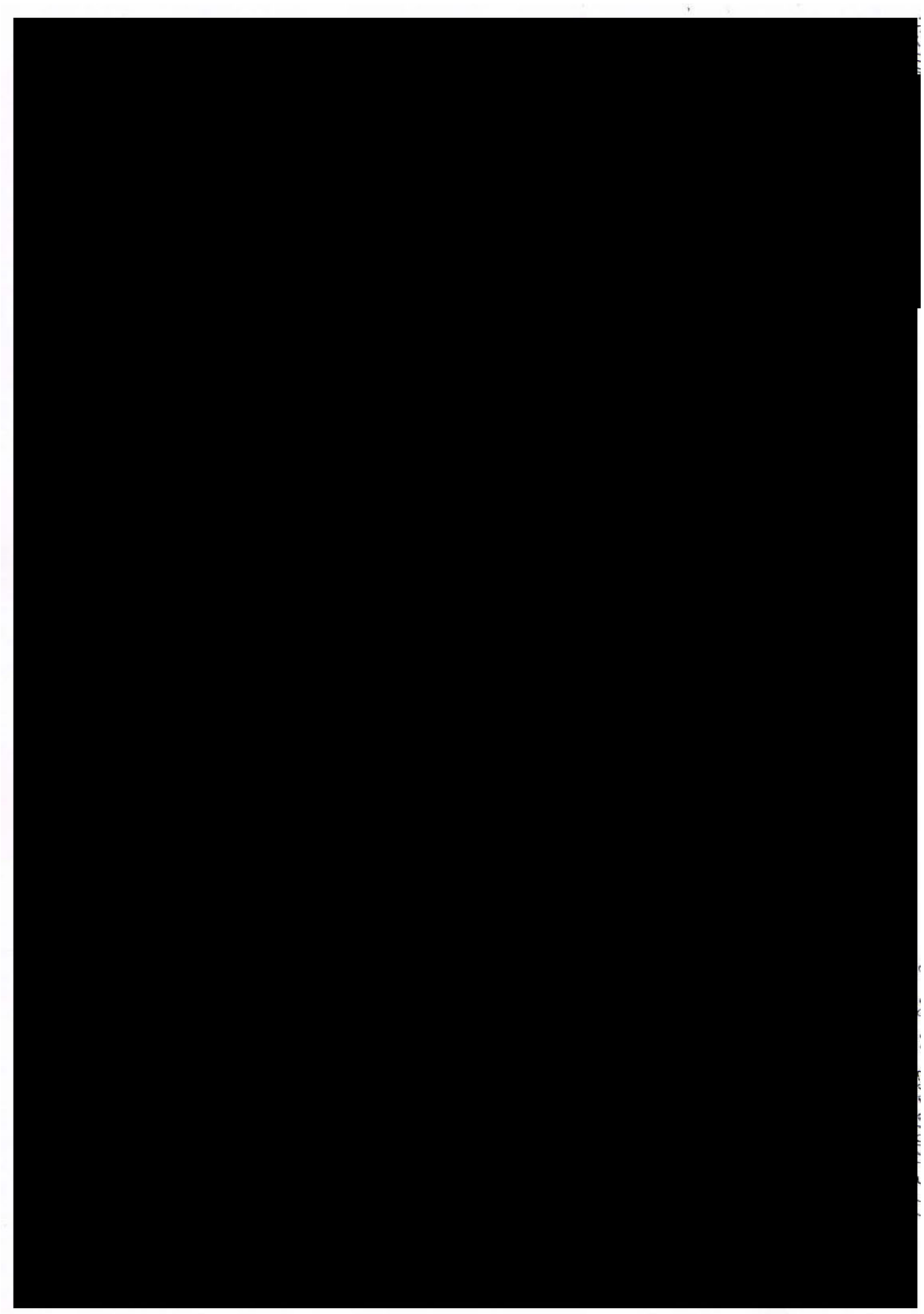
In 2021 the flood exceeded the marked-up extent of the flood plain as shown in the LSIO [redacted] I will send a separate movie showing the actual flood extending beyond the flood overlay.

In addition, I have marked up a section of the river which has been omitted in the Inundation overlay. The inclusion of the missing section of river is of importance as my southern boundary meets the missing section of the river.

I hope this information is of assistance.

regards

[redacted]



From: [redacted]
Subject: Re: [redacted] 40 PM
Attachments: [redacted]

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi [redacted]
referring to the shape applied in the mapping which covers the actual route of the Morwell River? Because if so, that is something I can follow up with our GIS team, outside of the Amendment process, as a potential cadastre correction.

The actual route of river in the vicinity (centre of river and banks) o[redacted] not shown at all. (as per my sketch.).
This is the case for for the LSO screen shot and the
proposed LSIO map for Yinnar, which forms part of the flood amendment (Amendment 131).

I also checked the Victorian State Government ,Environment,land,Water and planning map for zoning schemes and this does not show the river bends either. (it does however show a shaded section which is the river)

Google maps clearly show the course of the river and the 'missing ' sections of the river. See attached file

My title shows the alignment of the river as it forms the boundary of mine and adjacent properties.
I will send flood movie in seperate email.

regards

[redacted]

[redacted]

From: [redacted]
Sent: Wednesday, 11 January 2023 10:18 AM
To: [redacted]
Subject: [redacted]

Hi [redacted]

Thanks for your email. I've had a look at the map you attached, and can see that you've drawn on an area of the Morwell River that isn't show on the[redacted] Are you able to review the maps attached, and below, and confirm that the area of the creek is or isn't mapped accurately? Or are you more so referring to the shape applied in the mapping which covers the actual route of the Morwell River? Because if so, that is something I can follow up with our GIS team, outside of the Amendment process, as a potential cadastre correction.

Proposed LSIO
Attached is the proposed LSIO map for[redacted] which forms part of the flood amendment (Amendment 131).

Current LSIO
And for comparison, here is a screen shot from our council mapping system, showing the current extent of the current LSIO.

Looking forward to receiving your flood video.

Kind regards,

[redacted]

[redacted]
P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

Latrobe City
a new energy

Latrobe City Council operates on the traditional land of the **Brayakaulung people** of the **Gunaikurnai nation.**

From: [redacted]
Sent: Tuesday, 10 January 2023 5:09 PM
To: [redacted]
Subject: [redacted]

⚠ **EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.** ⚠

Hi [redacted]
I have attached a marked-up sketch of my property which is impacted by flooding of the Morwell river.
In 2021 the flood exceeded the marked-up extent of the flood plain as shown in the LSIO for [redacted] I will send a separate movie showing the actual flood extending beyond the flood overlay.
In addition, I have marked up a section of the river which has been omitted in the Inundation overlay. The inclusion of the missing section of river is of importance as my southern boundary meets the missing section of the river.
I hope this information is of assistance.

regards
[redacted]

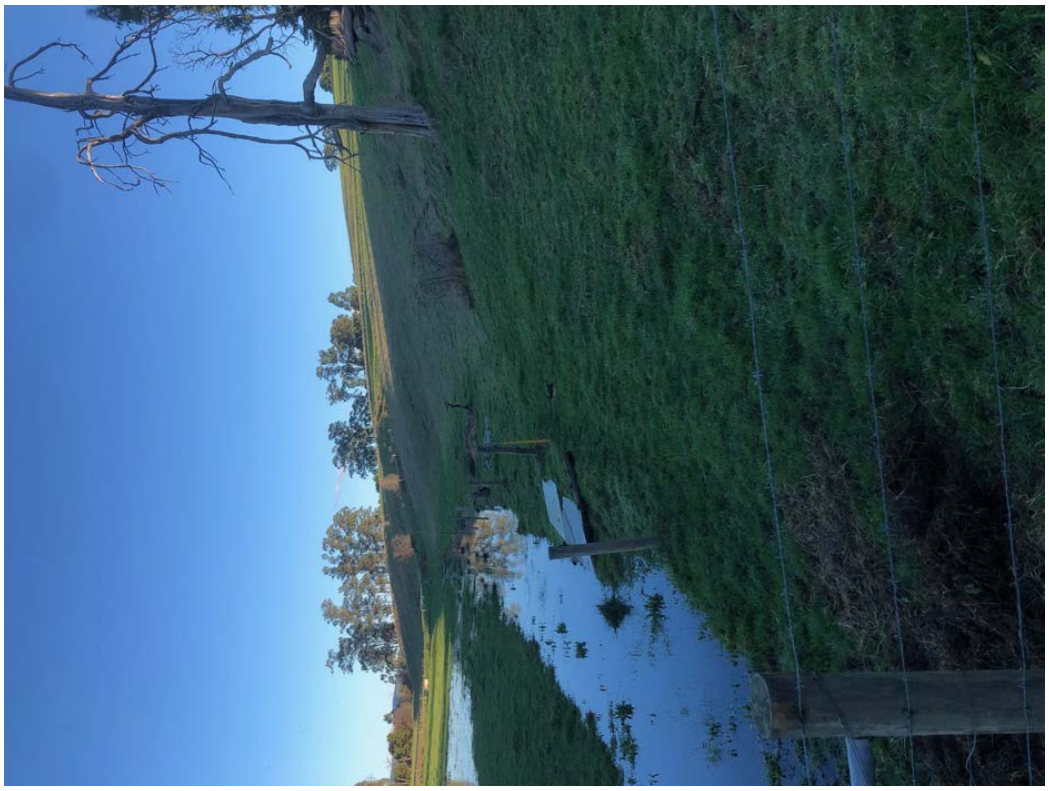
Google Map showing Morwell River in vicinity of [redacted]

[redacted]

[redacted]

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi [redacted]
This photo shows the open drain old fence line and cattle trough at my proper y without the flood When you get to open the flood mo e you and the team will be able to see the flood extent against these fixtures



[redacted]

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Phone 1300 367 700
Post to PO Box 264 Morwell 3840
Email Address latrobe@latrobe.vic.gov.au
Internet www.latrobe.vic.gov.au

Submission 68

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Submission to Amendment C131

Name..... [redacted] .....

Address..... [redacted] .....

Phone Number..... [redacted] .....

Email Address..... [redacted] .....

Your views on the amendment (support or object):

Support, happy that there is LSIO that is currently on the property being removed. this old mapping is ~~erroneous~~ ~~Error~~ Odd and wrong.

Please note that you must include your name and postal address for the submission to be formally considered.
Please note that all submissions made to an amendment will become a public document and will be available for public perusal during the amendment process. Your name and address will be redacted as a part of the submission.

For further information please contact the Strategic Planning department on 1300 367 700

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Phone 1300 367 700
Post to PO Box 264 Morwell 3840
Email Address latrobe@latrobe.vic.gov.au
Internet www.latrobe.vic.gov.au

Submission 69

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Submission to Amendment C131

Name.... [redacted]

Address.... [redacted]

Phone Number... [redacted] [redacted]

Email Address... [redacted]

Your views on the amendment (support or object):

My objection to Amendment C131 is that for the 40 years since our property at [redacted] was built there has never been any water ingress onto our property from the north side. In the past when there has been significant rain fall events the road along the north of our property floods to a level at which it begins to flown down [redacted]

Flooding of the road essentially happens as a result of the storm water easement been blocked so the flow of water is substantially reduced from the storm water drain on the north east corner of our block.

Despite the assurance of the council employees at the meeting over the proposed changes that the easements had been inspected and found to be clear, we have since had a council crew spend 3 days clearing the easement running along the south of our property and they said the easement along the east of our property is similarly affected.

From this I believe it is just easier for the council to dump properties onto flood overlays than to do what our rates are meant to be doing, increasing insurance and devaluing properties.

Please note that you must include your name and postal address for the submission to be formally considered.
Please note that all submissions made to an amendment will become a public document and will be available for public perusal during the amendment process. Your name and address will be redacted as a part of the submission.

For further information please contact the Strategic Planning department on 1300 367 700.

OFFICIAL

Submission 70
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Our Ref: 80709
Your Ref: C131latr

27 March 2024

Ms Tegan McKenzie
Principal Strategic Planner

Latrobe City Council
PO Box 264
MORWELL VIC 3840

Emailed to: latrobe@latrobe.vic.gov.au

Dear Ms McKenzie,

Latrobe Planning Scheme Amendment C131
Flood Overlays Update

We refer to Council's correspondence dated 26 February 2024 notifying VicTrack of Amendment C131 to the Latrobe Planning Scheme.

We understand that the amendment proposes to update the flood overlays in the municipality.

We have reviewed the amendment documentation in the context of the site and the rail corridor. VicTrack wishes to advise that the proposed rezoning does not impact on the VicTrack land, existing rail operations or future network development.

On this basis, VicTrack has no objection to the amendment.

Should you have any queries, please contact me on [redacted] or [redacted]

Yours sincerely

[redacted]

[redacted]
Planning Manager

VicTrack
Level 8, 1010 La Trobe St Docklands VIC 3008
GPO Box 1681 Melbourne VIC 3001
T +61 3 9619 1111
victrack.com.au

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Submission 71

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[redacted]

From: [redacted]
Sent: Thursday, 28 March 2024 8:07 AM
To: Strategic Planning
Subject: FW: Anonymous User completed Amendment C131 Flood Overlays Update

Follow Up Flag: Follow up
Flag Status: Flagged

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

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From: Latrobe City Council <support@engagementhq.com>
Sent: Wednesday, March 27, 2024 8:17 PM
To: [redacted]
Subject: Anonymous User completed Amendment C131 Flood Overlays Update

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Anonymous User just submitted the survey Amendment C131 Flood Overlays Update with the responses below.

Name

[redacted]

Email

[redacted]

Address

[redacted]

Contact Number (id you want council officers to contact you).

[redacted]

Please select to either support, object or request a change be made to the draft document(s)*

request a change be made.

Your Submission

You're surveys are wrong 7 Whittakers road floods every year and now it's been taken off. [redacted] has never been put in the flood zone where I live but has not come with in a metre of the house boundary fence let alone the house

Submission 72

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[redacted]

From: [redacted]
Sent: Thursday, 28 March 2024 8:07 AM
To: Strategic Planning
Subject: FW: Anonymous User completed Amendment C131 Flood Overlays Update

Follow Up Flag: Follow up
Flag Status: Flagged

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

LatrobeCity
a new energy

Latrobe City Council operates on the traditional land of the **Brayakaulung people** of the **Gunaikurnai nation.**

From: Latrobe City Council <support@engagementhq.com>
Sent: Wednesday, March 27, 2024 8:03 PM
To: [redacted]
Subject: Anonymous User completed Amendment C131 Flood Overlays Update

⚠ EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe. ⚠

Anonymous User just submitted the survey Amendment C131 Flood Overlays Update with the responses below.

Name

[redacted]

Email

[redacted]

Address

[redacted]

Contact Number (id you want council officers to contact you).

[redacted]

Please select to either support, object or request a change be made to the draft document(s)*

request a change be made.

Your Submission

We would like to have the FO reviewed surrounding [redacted]. In particular our house sits almost 1 metre above the height at the northern fence line. Additionally, I have seen photos of the latest flood a few years ago where the flood height was a decent way down from the fence line. The new proposed flood overlay has part of our house inside the FO which I don't believe is accurate. Could this please be reviewed? Thanks, [redacted]

[redacted]

Submission 73

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[redacted]

From: [redacted]
Sent: Thursday, 28 March 2024 8:07 AM
To: Strategic Planning
Subject: FW: Anonymous User completed Amendment C131 Flood Overlays Update

Follow Up Flag: Follow up
Flag Status: Flagged

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

LatrobeCity
a new energy

Latrobe City Council operates on the traditional land of the **Brayakaulung people** of the **Gunaikurnai nation.**

From: Latrobe City Council <support@engagementhq.com>
Sent: Wednesday, March 27, 2024 7:56 PM
To: [redacted]
Subject: Anonymous User completed Amendment C131 Flood Overlays Update

⚠ EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe. ⚠

Anonymous User just submitted the survey Amendment C131 Flood Overlays Update with the responses below.

Name

[redacted]

Email

[redacted]

Address

[redacted]

Contact Number (id you want council officers to contact you).

[redacted]

Please select to either support, object or request a change be made to the draft document(s)*

Object.

Your Submission

The new flood overlay is not using a current RL to on the area around [redacted]. The area should be surveyed properly not just using an existing survey from either 2006 or 2011 (current reference data) before such an adjustment is made. The areas that have been highlighted are not in any danger of being flooded, I have photos from the last big floods in 2021 and we were no where near being flooded.

Submission 74

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[redacted]

From: [redacted]
Sent: Thursday, 28 March 2024 8:07 AM
To: Strategic Planning
Subject: FW: Anonymous User completed Amendment C131 Flood Overlays Update

Follow Up Flag: Follow up
Flag Status: Flagged

[redacted]

P 1300 367 700
W www.latrobe.vic.gov.au
PO Box 264, Morwell 3840

LatrobeCity
a new energy

Latrobe City Council operates on the traditional land of the **Brayakaulung people** of the **Gunaikurnai nation.**

From: Latrobe City Council <support@engagementhq.com>
Sent: Wednesday, March 27, 2024 7:28 PM
To: [redacted]
Subject: Anonymous User completed Amendment C131 Flood Overlays Update

⚠ EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe. ⚠

Anonymous User just submitted the survey Amendment C131 Flood Overlays Update with the responses below.

Name

[redacted]

Email

[redacted]

Address

[redacted]

Contact Number (id you want council officers to contact you).

[redacted]

Please select to either support, object or request a change be made to the draft document(s)*

request a change be made.

Your Submission

I refer to the new flood overlay proposed over the western and southern sections of my property at [redacted]
Both elevation datasets used to determine levels over my property pre-date the development of this subdivision. Furthermore, the accuracy of the Vicmap Elevation DTM is inadequate to accurately determine such levels. Can you confirm which data set captures this area to determine the site levels and to what the flood overlay elevation in AHD is at this point?

Submission 75

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Department of Energy, Environment and Climate Action

574 Main Street
Bairnsdale, Vic 3875
deeca.vic.gov.au

[redacted]
Principal Strategic Planner
Latrobe City Council
141 Commercial Road
MORWELL VIC 3840

Ref: 4040

By email: latrobe@latrobe.vic.gov.au

Dear [redacted]

REFERENCE NUMBER: **AM C131**
PROPOSAL: **FLOOD OVERLAYS**
ADDRESS: **VARIOUS SITES ACROSS THE MUNICIPALITY**

Thank you for your correspondence of 26 February 2024 pursuant to Section 19 of the *Planning and Environment Act* 1987 (the Act).

Council has given the Department of Energy, Environment and Climate Action (DEECA) notice of a proposed planning scheme amendment that seeks to amend the Flood and Land Subject to Inundation overlays.

The land subject to the amendment includes sites across the whole municipality, particularly around the Traralgon River, Traralgon Creek, Rintouls Creek, Eel Hole Creek, Tyers River and Morwell North West.

The Amendment seeks to:

- delete the Floodway Overlay from 391 parcels of land;
- delete the Land Subject to Inundation Overlay from 2,077 parcels of land;
- applies the Flood Overly to 210 parcels of land;
- applies the Land Subject to Inundation to 1,569 parcels of land; and
- amends the boundaries for a number of properties affected by existing flood overlays.

DEECA may be affected by the proposed amendment as the owner of Crown land over which the flood controls may be changing.

DEECA has considered the above application and does not oppose the amendment.

If you have any queries regarding this matter, please contact [redacted] on [redacted] or at [redacted]

Yours sincerely

[redacted]
Senior Planning Officer
Planning Services (Central East)
DEECA Planning and Environment Assessment

2 April 2024

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Energy, Environment and Climate Action, PO Box 500, East Melbourne, Victoria 8002.

VICTORIA State Government

Document Set ID: 2620777
Version: 1, Version Date: 03/04/2024

OFFICIAL

Submission 76
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From: [redacted]
To:
Subject:
Date: Thursday, 28 March 2024 3:54:00 PM
Attachments: image001.png

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hey just regarding our catch up on Tuesday, im sure you will let me know about the heights / levels logged but just wanted to make sure that I would like to try minimise any form of over lays on my property if possible

Cheers
[redacted]

[redacted]

[redacted]

Submission 77

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From: [redacted]
To: Latrobe@latrobe.vic.gov.au
Cc: [redacted]
Subject: Amendment C131 objection - Strategic Planning Department [JWSDOCS-DOCUMENTS.FID779363]
Date: Wednesday, 3 April 2024 7:00:43 PM

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Strategic Planning Department,

We refer to the Flood Overlays Amendment C131. We act for [redacted] who own [redacted]

This is a submission objecting to the inclusion of the property in Amendment C131.

We note that our client objects to the amendment on the basis that it affects the previously approved Planning Permit [redacted] in circumstances where there is a pending request to extend the permit.

It is also noted that the [redacted] property has been retained in Amendment C131 despite the peer reviewed report by Venant Solutions noting that "it was agreed during the workshop to not proceed with amendments not supported by documentation". Table 4-2 notes that Flood study documentation is not available for Tributary of Eel Hole Creek between Monash Way and Silcocks Road". Furthermore, pages 20 to 21 recommends that the LSIO for Tributary of Eel Hole Creek between Monash Way and Silcocks Road **not** be proceeded with.

Moreover, the Instruction Sheet which lists which planning maps are to be amended **does not** include the Silcocks Road property which is Map 93. Yet, Map 93 is included in the list of towns affected by amendment C131 on the Overlay Maps page.

In addition to our client's objection, we kindly request confirmation as to whether the Silcocks Road property is affected by Amendment C131 and if so, explanations as to why this is the case where Venant Solutions have recommended otherwise.

Kind regards,

[redacted]

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[redacted]

Latrobe City Council

Amendment C131 – Flood Overlays Update

Attention: Strategic Planning Department

Submission feedback prepared by

[redacted]

5 April 2024

Submitted online via
https://yoursay.latrobe.vic.gov.au/amendment-c131-flood-overlays

Introduction

1. [redacted] is a community advocacy group based in Gippsland, Victoria. [redacted] is a client of Environmental Justice Australia (EJA) working to facilitate a positive post-coal mining legacy for future social and economic prosperity of the region in a manner that safeguards and protects the community and surrounding environment, including the Latrobe River that contribute freshwater flows to the Ramsar listed Gippsland Lakes.

2. [redacted] is an active stakeholder with the Latrobe Valley Regional Rehabilitation Strategy (LVRRS) process and the Gippsland Sustainable Water Strategy (SWS). Our work revolves around good governance and improved policy to inform appropriate and rational decision-making interacting with WGCMA, DEECA, DJPR, MLRA and all mine operators.

3. [redacted] contention is consistently reinforced by evidence that proactive change can only occur with planning reform based on science otherwise assumptions are made in the absence of constraints. The current lack of appropriate resources to provide updated flood studies is a concern which has the potential for inappropriate development approval.

[redacted]

Overview

4. West Gippsland Catchment Management Authority (WGCMA) has recommended Latrobe City Council (LCC), as the planning authority, amend the Latrobe Planning Scheme to introduce updated mapping of the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) to reflect the modelling undertaken and reflect the best available flood mapping.

5. Most of the flood mapping in the planning scheme for LCC is outdated so there is an urgency to justify this statutory change to Planning Scheme Maps until such time funding becomes available to update all LCC flood mapping and adjust flood overlays accordingly. This is highly relevant as *the Peer Review also recommended the inclusion of the climate change scenario for the Latrobe River as this was the 'best available information'*.

6. The Planning Policy Framework should be dynamic and evolving as the needs of the community and environment change. FLoW acknowledges that the proposed Amendment C131 will lead to better mapping and an improved outcome.

7. But there needs to be a provision included for LCC to provide further updated flood information in a more urgent fashion to better inform local planning decisions around risk of flooding and how it will be managed especially around new developments.

8. [redacted] would encourage LCC to work with the CMA to undertake more regular mapping so the previous and existing delays between the completion of the studies and the changing of the planning overlays is up to date at that point in time.

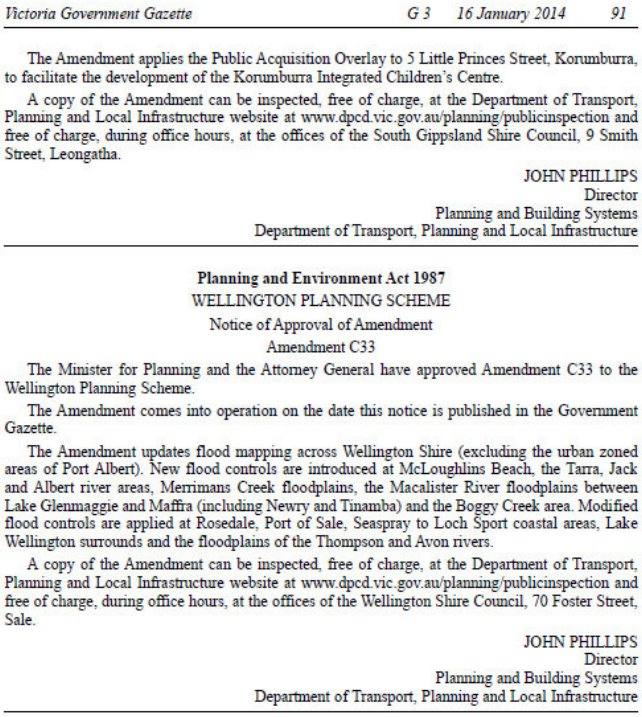
9. [redacted] supports the proposed Amendment C131, however, LCC still need to apply restraint and caution in assessing land for new development due to existing stability constraints caused by past and ongoing coal extraction and potential for increased subsurface movement with the proposed full pit options for the rehabilitation of Latrobe Valley coal mines. The ongoing risk of subsidence from groundwater extraction has the potential to further impact drainage and normal flood pathways.

Policy

10. The planning schemes are for people's benefit with overlays to allow planners, developers and landowners to make informed decisions where building and development can occur safely as opposed to inappropriate approval for development which increases risks of flooding. People have a right to know what the risks are to then make an informed decision about whether they want to be there or what sort of insurance protection they will need.

11. However, tension within the planning scheme, use of *minister's discretion*, conflict between departmental directives and outdated regulatory standards all contribute to enabling poor decision-making for appropriate land use and development. LCC need to ensure relevant planning decisions are not made in a vacuum of data gaps otherwise the *Precautionary Principle* needs to be applied. The overlays are not there to appease certain landowners or developers wanting to build for a profit.

12. The following is an example of inappropriate use of minister's discretionary power where Port Albert was made exempt from a flood overlay.



Victoria Government Gazette G 3 16 January 2014 91

The Amendment applies the Public Acquisition Overlay to 5 Little Princes Street, Korumburra, to facilitate the development of the Korumburra Integrated Children's Centre.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the South Gippsland Shire Council, 9 Smith Street, Leongatha.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

Planning and Environment Act 1987
WELLINGTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C33

The Minister for Planning and the Attorney General have approved Amendment C33 to the Wellington Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment updates flood mapping across Wellington Shire (excluding the urban zoned areas of Port Albert). New flood controls are introduced at McLoughlins Beach, the Tarra, Jack and Albert river areas, Merrimans Creek floodplains, the Macalister River floodplains between Lake Glenmaggie and Maffra (including Newry and Tinamba) and the Boggy Creek area. Modified flood controls are applied at Rosedale, Port of Sale, Seaspray to Loch Sport coastal areas, Lake Wellington surrounds and the floodplains of the Thompson and Avon rivers.

A copy of the Amendment can be inspected, free of charge, at the Department of Transport, Planning and Local Infrastructure website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Wellington Shire Council, 70 Foster Street, Sale.

JOHN PHILLIPS
Director
Planning and Building Systems
Department of Transport, Planning and Local Infrastructure

13. The coastal risks in Gippsland are well known but did not prevent political interference in a planning decision. Wellington Shire were the local government authority but, in this case, it was the use of discretionary power by the planning minister that went against the West Gippsland Catchment Authority flood overlay recommendations and council planners.

14. Previous State Nationals leader, Peter Ryan, was pressured by some in his electorate to change a revised flood overlay in the Port Albert area subject to floods which have occurred simultaneously with king tides and storm surges and will be impacted by sea level rise in the future. Eventually, after a planning panel review, a flood overlay was able to be removed by the stroke of a pen under the guise of *Ministers Discretion*. The legal ramifications of poor planning decisions can be greatly reduced if the planning controls are not regularly updated.

15. A Gippsland Times article in 2014 reported[1] the following,

> *State Planning Minister Matthew Guy has approved an exemption for Port Albert from flood overlays included in Amendment C33 to the Wellington Planning Scheme.*
> *The decision has been seen as a win for the local community, which was concerned proposed flood overlays would hinder development and impact the future of the town.*
> *In responding to community unrest surrounding the introduction of the amendment, Mr Guy instigated a review of the flood overlays for Port Albert.*
> *Following consideration of the amendment, a panel report and the submissions from local residents, the minister approved the amendment for revised flood overlays for the Wellington Shire, with the exception of Port Albert.*
> *The decision means flood overlays will not be applied to residential and commercial land in Port Albert.*

16. The following 2008 Red Dot decision by VCAT[2] is pertinent given the above.

[1] https://www.gippslandtimes.com.au/news/2014/01/16/port-albert-reprieve/
[2] http://www8.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VCAT/2008/1545.html?context=1;query=gippsland%20coastal%20board%20v%20south%20gippsland%20sc%20and%20others;mask_path=au/cases/vic/VCAT

IN THE MATTER OF Gippsland Coastal Board v South Gippsland Shire Council12 the VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL ADMINISTRATIVE DIVISION found,
'…it is imperative that planning decision makers are guided by relevant policy. It is not appropriate to exempt individual decisions from the application of policy because it is only through the consistent application of policy that objectives leading to net community benefit and sustainable development will be achieved.'

NATURE OF CASE	Dwellings in Farming Zone; land subject to flooding and likely inundation due to sea level rise as a result of climate change
REASONS WHY DECISION IS OF INTEREST OR SIGNIFICANCE	
POLICY – interpretation or application of policy	Location of rural living dwellings not related to agricultural uses in Farming Zone and outside settlement in coastal area – impact of sea level rise and risk of coastal inundation – impact of climate change – application of precautionary principle

17. It has only been this year that Port Albert's has had updated flood risk measures[3] which is 10 years after the initial political interference which previously allowed development access at the current flood levels which has the potential to expose people to inappropriate development in the future.

18. If the application of principled objectives in State Planning Policy Frameworks are clearly misused and manipulated via ministerial discretion in decision it creates a legal minefield of loopholes and financial cost burdens for all.

Nexus between negative geotechnical movement and flood risk

GROUND MOVEMENT OVERVIEW

The mining induced ground movements of significance to the Latrobe Valley coal mining region and proposed coal rehabilitation are identified to be:

- Block sliding of coal
- Sinkhole formation
- Coal pit floor heave
- Subsidence
- Lake loading
- Seismicity

[3] https://www.gippslandtimes.com.au/news/2024/02/28/port-alberts-updated-flood-risk-measures/

19. All these need to be considered with planning because even if one was to eventuate there could be a significant change in stormwater runoff and carve a new river flow path (avulsion).

20. Gippsland has the added complication of an existing regional cone of depression[4] contributing to significant subsidence and potential further compaction that is not yet fully realised with the ongoing overextraction of groundwater dewatering of the Latrobe Valley's three coal mines. Currently, ENGIE is seeking to increase the amount of groundwater take by an extra 7GL per year to their average extraction with the regional geotechnical movement on aquifer depressurisation unknown as all modelling for Latrobe Valley groundwater impacts has been assessed on stepped closure of mines. The current Regional Monitoring Committee predictions cannot be countered on as accurate given so much is still unknown.[5] Complicating this, once the three Latrobe Valley coal pits reach equilibrium rebound will occur over the subsequent decades.

21. In February 2011 deep holes appeared in Morwell's Princess Freeway, which runs close to the Hazelwood mine. This resulted in authorities closing a large section of road for approximately four months. The problem was attributed to water.

---

[4] Mine Closure 2019 GHD *Hydrogeological modelling to inform closure planning for Hazelwood Mine*
The depressurisation of the confined aquifers over 50 years of operation resulted in a large cone of depression in the piezometric surface, with drawdown of up to around 130m at the mine [Hazelwood]*. The cone of depression initially extended to the east and subsequently merged with the cone of depression radiating from the neighbouring Loy Yang Mine, resulting in a large cumulative effect within the confined aquifers. The lowering of piezometric heads has been accompanied by compaction of compressible*
sediments and coal, resulting in subsidence of up to around 2.2 m northeast of the Hazelwood Mine within the township boundary of Morwell.

5 Under Section 51 of the Water Act (1989), AGL Loy Yang, EnergyAustralia Yallourn and ENGIE Hazelwood engage a consultant to produce an Annual Report, providing details of the groundwater and land surface monitoring activities as required by the operators Groundwater Extraction Licence management of their respective depressurisation systems.
…Recommendations
REGIONAL MONITORING PROGRAM LATROBE VALLEY OPEN CUT COAL MINES
Annual Report July 2020 to June 2021 noted,

Other recommendations to further the hydrogeological understanding and monitoring in the Latrobe Valley include:

- *Continue to use the supplementary groundwater data in addition to the Latrobe Valley regional groundwater data in assessing groundwater trends*
- *Consider transition to remote land subsidence monitoring. This would require trialling of the remote method in conjunction with GPS based surveying to prove the technology has the required accuracy.*
- *Continue to assess opportunities to develop and support an InSAR research project to support the subsidence monitoring program*

22. As a result of the freeway collapse the Morwell Land Movement Survey and Report undertaken by Pells Sullivan Meynink (PSM) was commissioned August - September 2011. Only the summary has even been released.

23. However, *in a 2015 Panel Report for the Latrobe Planning Scheme Amendment C87 Traralgon Growth Areas Review* the same author of the Morwell Land Movement Survey, Mr Tim Sullivan of Pells Sullivan Meynink, was also engaged to act behalf of LoyYang mine operators on geotechnical issues in Latrobe Valley. His information was enlightening!!!

24. Mr Sullivan states, in his written evidence, that '*The Latrobe Valley and the mines it contains is now a system with a large number of mutually interacting parts'* and that the area is prone to '*sudden transition from quiescent state to an unstable incident or collapse'*. He states that all the Latrobe Valley mines are subject to the following four types of movement:
    - *Valley wide groundwater induced settlement (subsidence).*
    - *A zone of in-situ horizontal stress relief extending outside the mine crest.*
    - *Ongoing creep movements still occurring decades after mining was*
    - *completed in the area.*
    - *Movement related to slope instability type mechanisms, which can also be reinitiated a long time after mining is completed.*

    He stated:

    …even though some of the past and ongoing movement by themselves constitute a hazard, these movements may make the area sensitive to external water loading events, for example rainfall runoff and earthquakes.

25. The rehabilitation of the Latrobe Valley coal mines is seen as one giant experiment with no other project in the world trying to make the unstable coal subsurface stable. What is also not know is the time frame.

26. Incremental subsidence because of dewatering the open cut coal mines just to keep the pits stable has resulted in soil creep in the township of Morwell towards the Hazelwood mine. The subsidence is continuing at 30mm per year after an incremental subsidence of 2.4metre noted in 2001 on freeway side of the Hazelwood coal pit.

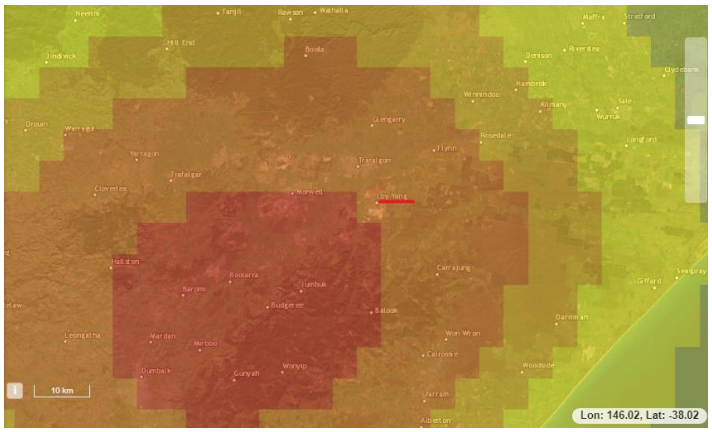
27. The fact subsidence can affect the tilt of the land & change drainage pathways would be particularly relevant for future land development so imperative that ongoing flood studies are updated to reflect the instability of Latrobe Valley region.

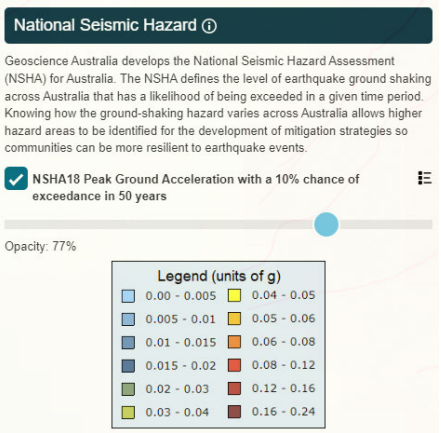
28. Land sinking is not the only concern but once equilibrium in the aquifer has been achieved the opposite effect for rebound is expected. There is expected to be time lags for decades so areas that appear suitable for development on the surface may be unstable in time & why ongoing flood overlays and adding structural integrity requires needs careful attention in planning approvals

29. With CWA being the referral authority for new development it is important all mapping is up to date so subdivision proposal can be appropriately assessed for council to take into consideration.
30. To not exposes LCC and ratepayers to expensive and unnecessary litigation proceedings.

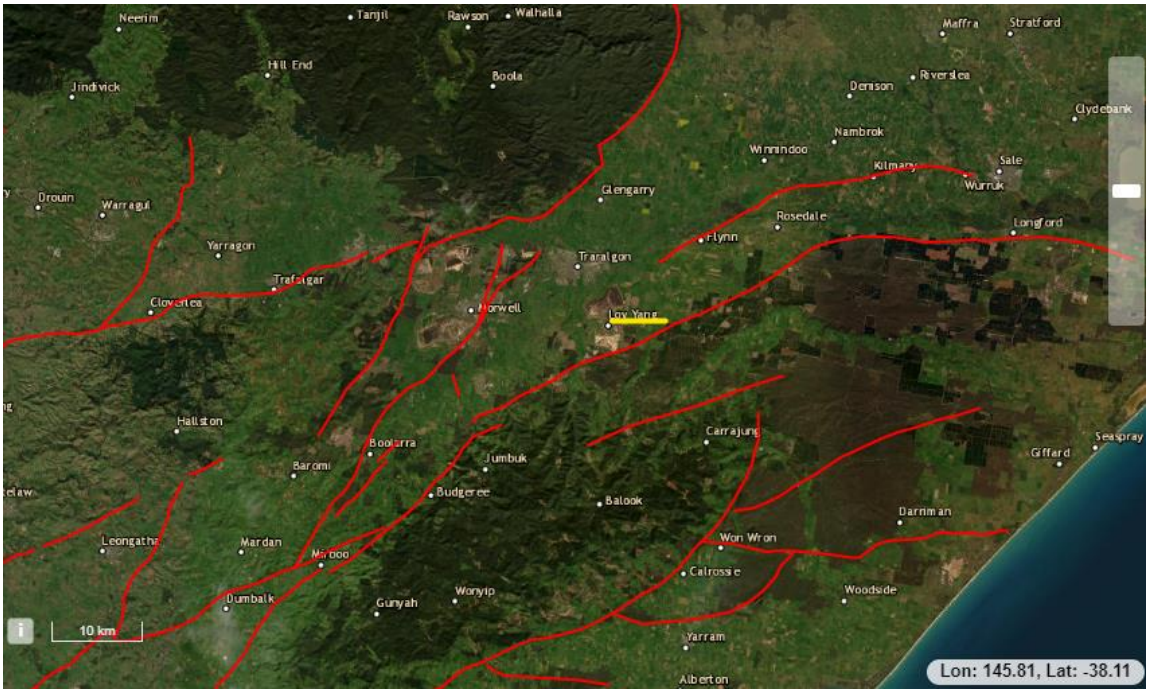
Seismic risks

The Latrobe Valley is a significant seismic area with the susceptibility of a future seismic incidence possible. It has also been asserted that seismic events occur after heavy rainfall[6] which are known settlement issues with construction of new dams as they fill. Not dissimilar to the 2012 Moe/Narracan earthquake two weeks post collapse of the Morwell River into the Yallourn coal pit; heavy weight onto an unstable subsurface. Peak ground acceleration is a concern.





[6] https://temblor.net/earthquake-insights/can-rain-cause-earthquakes-2668/



Conclusion

[redacted] our insights in good faith given the continual subsurface movement and potential for extreme rain events to be worthy of consideration for a better Latrobe Valley.

Submission 79
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From: [redacted]
Sent: Fri, 5 Apr 2024 13:36:06 +1000
To: Latrobe@latrobe.vic.gov.au
Subject: Attention: Strategic Planning Department - Amendment C131 submission
Attachments: Covering letter to LaTrobe.docx, C5027 DTS2.pdf

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To whom it may concern

Please find attached our covering letter, written submission & proposed layout for Amendment C131.

Regards

[redacted]

[redacted]

5 April 2024

Attention: Strategic Planning Department
Latrobe City Council
P.O. Box 265
MORWELL VIC 3844

Dear Sir/Madam,

RE: Amendment C131 – Flood Overlays Update submission

[redacted] act on behalf of [redacted] in relation to this submission to the Latrobe City Council for the above amendment. Our clients are the owners of [redacted] This letter forms an attachment to plans and a written submission sent to the portal on Council's web site.

1.1 Overview of Submission

Latrobe City Council seeks to review and update the extend of existing flood overlays, which were last updated in 2012. Amendment C131 applies to all land within the municipality which is informed by the flood modelling within the flood studies. The amendment proposes to:-

- *Amend Clause 02.04 (Strategic Framework Plans) to include a new Strategic Framework Plan.*
- *Amend Clause 11.01-1L (Glengarry) to include a new Glengarry Town Structure Plan (GTSP).*
- *Insert new Planning Scheme Maps*

Of the three areas identified above, our submission to Latrobe City Council specifically addresses the proposed flood overlay mapping and how it affects our clients property at [redacted]

Our clients land is currently zoned General Residential Zone (GRZ) and the Land Subject to Inundation Overlay applies to the land. We maintain a strong position that developable land supply is needed in Traralgon to match with the continuing high demand for residential land in Latrobe City Council.

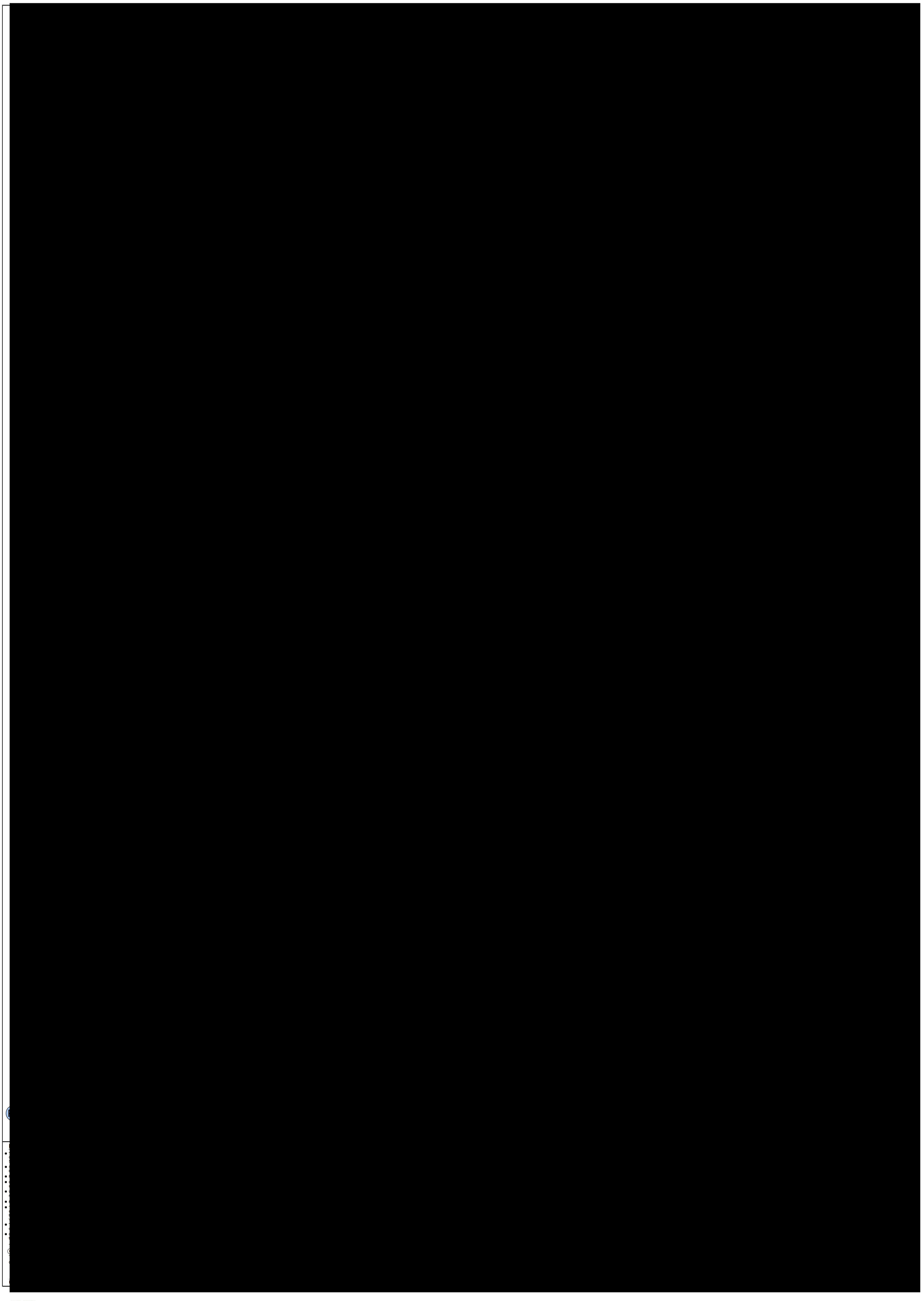
Our client wants to develop their land within the constraints of the current LSIO controls. There is currently no Flood overlay that applies to the land.

We include a written submission as well as a high-level plan for future discussion.

The juxtaposition is that the introduction of the Floodway overlay mandates any future development of [redacted] yet the land is zoned General Residential Zone thus the introduction of the Floodway Overlay inhibits future development potential.

Yours sincerely

[redacted]



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SUMMARY OF SUBMISSIONS & PLANNING COMMENT TO:

Amendment C131 – Flood Overlays Update

Re-Exhibition (29 February 2024 – 5 April 2024)

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
68	[redacted]	Support	Happy that there is LSIO that is currently on the property being removed, this old mapping is odd and wrong.	Noted	No	7 March 2024
69	[redacted]	Objection	• There has never been any water ingress onto our property from the North Side. In the Past when there has been significant rain fall events the road along the North of our property floods to a level at which it begins to flow down Carey Drive. • Flooding of the road happens because of the storm water easement been blocked. • The easement along the southern and eastern boundaries have not been adequately maintained. • The overlays are being put in place instead of adequate stormwater maintenance which is what rates are for.	Drainage infrastructure is a combination of underground pipes to convey minor storms events and overland flows paths in 1% AEP flood events which is depicted in the mapping. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or conveyance of a pipe or swale drain. There is no provision for safely conveying 1% AEP flood flows as identified by uncontrolled overland flow paths in the mapping in this section of Glengarry. Underground drainage is not a viable means to completely remove and store all water in a major flood event. The overlays are based on a design flood	Yes	22 March 2024

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			• It is increasing insurance and devaluing properties.	event for a 1% AEP flood which is a larger event than that experienced in Glengarry. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and is considered to be **resolved.**		
70	VicTrack	Support	• VicTrack has no objection to the amendment	Noted	No	27 March 2024
71	[redacted]	Objection	• Mentioned 7 Whittakers Road is prone to flooding is being removed from overlay • Flooding on the property has not come within 1 metre of the fence line	7 Whittakers Road is proposed to remain in Floodway Overlay. As there are no changes, these are not shown in the Amendment maps. The Overlay will be removed from the property, this submission is considered **resolved.**	Yes	27 March 2024
72	[redacted]	Objection	• Requested the FO around street be reviewed • Flood that occurred was much lower than fenceline • House is 1 metre above bottom of fence line so high enough to not be included in	The Overlay will be removed from the property, this submission is considered **resolved.**	Yes	27 March 2024

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			flood area			
73	[redacted]	Objection	• Noted the proposed Flood Overlay is not accurate to current levels and that historical levels have been used. • Requested areas are adjusted to current levels.	The Overlay will be removed from the property, this submission is considered **resolved.**	Yes	27 March 2024
74	[redacted]	Objection	• Noted the proposed Flood Overlay is not accurate to current Levels and that historical levels have been used. • Requested the data regarding levels be reviewed as flood area is not accurate.	The Overlay will be removed from the property, this submission is considered **resolved.**	Yes	27 March 2024
75	DEECA	Support	• Supports the Amendment	Noted	No	3 April 2024
76	[redacted]	Objection	• Would like overlays reduced on property	WGCMA reviewed the data and have reduced the Overlays based on lidar. Resulted in LSIO being removed altogether from the property and FO not being changed.	Yes	27 March 2024
77	Johnson Winter Slattery	Objection	• Overlay will have an impact on the existing Planning Permit application. • The Peer Review recommended not proceeding with the Land Subject to Inundation Overlay for the Tributary of Eel Hole Creek between Monash Way and Silcocks Road. • Map 93LSIO-FO is not included in the Explanatory Report or Instruction Sheet.	Map 93LSIO-FO will be removed from the Amendment as reference to the map was not included in the Explanatory Report or Instruction Sheet. The Peer Review recommended not proceeding with the application of the LSIO on the property as no background document was provided as a part of the Peer Review. The document was subsequently located after the Peer review was complete and as it met the criteria for inclusion in the Amendment, it was included in the Exhibition Package.	Yes	4 April 2024

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				It is noted that the background document *Monash Way, Churchill 2011* may still be included in a future planning scheme amendment.		
78	[redacted] Friends of Latrobe Water	Support	• Encouraged consistent mapping amendment with CMA involvement. • Refers to stability constraints caused by coal mining. • Review of Wellington Shire Council matters on Amendment C33.	Council will refer to CMA for all relevant future Amendments for riverine flooding, Council is working with the CMA about the timing of future planning scheme amendments to ensure that data in the flood studies is the most-up-to-date information when the planning scheme is being ran. Ground movements for Loy Yang may be reviewed in Traralgon South-East Precinct Structure Plan, which will provide an indication of relevance for future studies. The proceedings of Amendment C33 to the Wellington Planning Scheme have been noted as reference.	No	4 April 2024
79	[redacted]	Objection	• The subject site provides developable land to support the high demand for residential land in Traralgon. • The change from LSIO to FO will inhibit future development potential of the site.	Overlays can only be applied when reliable data has been produced to justify a change in overlays. Free flood advice is available on WGCMA website. Planning controls change over time - there is no certainty that land will remain the same over time, and a land purchaser has the responsibility to undertake due diligence when making such a purchase. The *Planning and Environment Act 1987* ensures that consultation during exhibition of a planning scheme amendment allows landowners/occupiers to be aware of when such changes occur.	No	8 April 2024

First Exhibition (3 February 2022 – 7 March 2022)

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
1	Department of Transport	Support	The Department of Transport has no objection to the proposed amendment.	Noted	**No**	7 February 2022
2	South Gippsland Shire	Support	South Gippsland Shire Council has no objection to the proposed amendment.	Noted	**No**	3 February 2022
3	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, due to: o Recent works and repairs to stormwater infrastructure. o Requests review and removal of the proposed LSIO.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. Drainage infrastructure is a combination of underground pipes to convey flows from minor storm events and overland flow paths for severe flood events. Drainage maintenance works would not have been considered in modelling. The model would operate on a level of nominated pipe capacity. The underground drainage network is not intended or designed to convey flood events as depicted in the 1% Average Exceedance Probability (AEP) mapping provided in the proposed amendment. The repair and maintenance works were completed on existing underground pipes which is only relevant for minor storm events, the major storm event inundation risk remains. The subject site sits adjacent to the overland flow path at the bottom of Rhodes Court, which is shown in the modelling. The downstream underground drain	**No**	16 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				maintenance works recently completed has no effect on the provision of overland flow paths to safely convey flood flows in a major flood event. It is policy at 13.03-1L Floodplain management that development be discouraged in residential areas within the 1% AEP flood extent or within 30m of existing waterways. Similarly, raised earthworks, and subdivision, other than realignment or consolidation, is discouraged within the mapped extent of a 1% AEP flood. Both overlays provide the means to control new development. Section 62(e) of the Planning and Environment Act 1987 enables planning schemes to '*regulate or prohibit any use or development in hazardous areas, or areas likely to become hazardous*'. As a result, planning schemes contain State planning policy for floodplain management requiring, among other things, that flood risk be considered in the preparation of planning schemes and in land use decisions (PPN12).		
4A	[redacted]		• Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, due to: o The flood modelling in the flood study does not appear to apply to their land. o Removal/reduction of current flood overlays	As a result of the Peer Review, it is recommended that the mapping identified as a part of the unnamed tributaries to the west of Moe be removed. The property will not be affected by proposed mapping. Mapping the flood risk is a statutory obligation under the *Planning and Environment Act 1987* and the *Building Regulations 2018*.	**YES**	20 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			requires physical evidence. o Some appendices from flood studies were not available at the commencement of exhibition. o Flood risk should be managed through stormwater planning and maintenance, rather than overlays.			
4B		Withdrawn	• Withdraws submission	Noted	**NA**	25 November 2023
5A			• Would like further information on: o Whether there are drainage issues on their street. o What due diligence has been undertaken with the flood studies. o What mitigation options have been considered. o Contours	After further review the flood mapping identified in Jazmine Court, the LSIO has been removed until a future urban catchment specific stormwater assessment can be completed. The Traralgon Flood Study was peer reviewed by the DELWP (now DEECA) Flood Advisory Committee as the time it was being prepared. Four mitigation options were considered as a part of the Flood Study. Only one was considered viable – the Traralgon Bypass Retarding Basin. However, the bypass is yet to commence so the retarding basin has not been implemented. It is proposed that this occur when the bypass is built.	Yes	16 February 2022
5B	[redacted]	**Objection**	• Does not support their land having Land Subject to	Council has reviewed the application of the overlay and removed it from the street as it is	NA	21 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			Inundation Overlay (LSIO) applied to it, due to: o Street not being susceptible to riverine flooding o Report does not consider flash flooding or stormwater flows o Has not seen stormwater flooding in street o Stormwater infrastructure was capable in the street during the 2021 floods.	considered to be due to stormwater flooding not riverine flooding. The Traralgon Creek Flood Study 1% AEP 'design event' is calculated based on existing stormwater infrastructure (operating in normal working order), previous flood events, rainfall, and topography of the land.		
5C			• Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, due to: o The suggestion that the street or any property therein is susceptible to impact by flood or inundation from Traralgon Creek is completely wrong and based on inaccurate modelling. o The amendment has inaccurate modelling, and incorrect application of LSIO to area.	After further review the flood mapping identified in the Court, the LSIO has been removed until a future urban catchment specific stormwater assessment can be completed. Flood studies use the Australian Rainfall and Runoff guidelines to model flood events which is the industry standard and best practice. The flood model is tested against known flooding events. When it can accurately predict the same event based on the same conditions, then the model for riverine flooding is considered accurate. The drainage network is included in the model to look at temporary flood storage before it affects properties as outlined in the Australian Rainfall and Runoff guide. Furthermore, the flood mapping extents are an output of the flood model and the extents of the hydraulic mapping are set at the initial creation of the	Yes	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ Study does not reference or consider stormwater, flash flooding, or their resultant overland flows in the Traralgon urban area. ○ No information supplies as to why the overlays are justified. ○ No supporting evidence of stormwater inundation in the street ○ Why does the amendment not apply to areas that have known stormwater issues - overlays appear arbitrary, inconsistent, and discriminatory in their application. ○ Definitions of FO & LSIO do not support their use outside of mainstream flood areas. Amendment C131 overlays are	model. The boundary between riverine and stormwater flooding is not known until the model outputs are completed. Consequently, interface areas are often included and later filtered, as has now occurred, to refine the results to the focus of the study – which in this case is riverine flooding. There is no recorded data of a 1% AEP flood event in Traralgon. The 2021 Traralgon Creek flood was smaller than a 1% AEP flood event. Under Section 6(e) of the Planning and Environment Act 1989 enables planning schemes to 'regulate or prohibit any use or development in hazardous areas, or likely to be hazardous'. The Water Act 1989 Section 204 specifically states that *"In making a declaration under section 203(1), an Authority* (West Gippsland Catchment Management Authority) *may adopt a flood level, a flood fringe area or a building line which, in its opinion, is the best estimate, based on the available evidence, of a flood event which has a probability of occurrence of 1 per cent in any one year."* In addition, Council is also obligated to map the flood levels to the 1% AEP event as Regulation 148 of the *Building Regulations 2018* states that "a council must prepare maps for all designated special areas within its municipal district." A "designated special		

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			being applied incorrectly and inconsistently. o Difference in original 1%AEP and the applied overlays o Report was not peer reviewed o The flood study itself did not have proper community consultation. o Amendment was not implemented in a timely manner. o Why have the four mitigation options not been acted on? Does this change the flood modelling. o Traralgon flood study flood information from the public was not on the website. o There is no documented evidence of the street flooding. o Davidson Street properties are having a reduction in flood	area" means— (a) an area liable to flooding. As such, regardless of whether an event has been experienced, Council has a statutory obligation to map to the 1% AEP flood event. A stormwater system is only built to cater to a 20% or 1 in 5 year stormwater flood event. The corresponding road network and controlled overland flow paths convey the rest of the 1% AEP stormwater flooding event. In 2005, subdivisions, like their Court, were not required to consider overland flow paths. Amendment VC42 introduced standard C25 under Clause 56.07-4 (Stormwater Management Objectives) on 9 October 2006 which requires that 'any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner'. Latrobe City Council cannot comment on a consultation process undertaken by another organisation. The Amendment started in the 2021/2022 financial year which is consistent with the timeframes outlined in the *West Gippsland Floodplain Management Strategy 2017-2027*. Council has re-exhibited the Amendment to ensure all background documents are publicly available.		

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			overlays despite there being photographic evidence that the properties flood. ○ Water Technology's videos from 2016 are incorrect. ○ June 2021 storm event did not see the street flooding.			
5D			• Asks where overland paths are discussed and identified in the report. • Application of the LSIO on the street is in error as it is outside the current and proposed 1% AEP flood extents. • Concerned that WGCMA will not say that there is no flood risk on the street. • Concerned that Council will not consider updating the SES mapping. • While his property has been removed, he expressed concerns for surrounding properties.	The Traralgon Flood Study was undertaken to look at riverine flooding from Traralgon Creek. The drainage network is included in the flood model to look at temporary flood storage before it affects properties as outlined in the Australian Rainfall and Runoff guide. Known areas impacted by stormwater runoff is a separate issue to riverine flooding and is not included in the Amendment. The Traralgon Flood Study considers riverine flooding for Traralgon Creek, the Australian Rainfall and Runoff Guidelines recommends that stormwater systems be included near riverine systems. Specifically, in Book 5: Flood Hydrograph Estimation under section 5.2 Fundamental concepts it says: "the runoff inputs generated by various processes in different subareas or sub-catchments are gradually transformed into a combined flood hydrograph at a downstream location. This	NA	22 June 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				process is determined principally by various forms of temporary flood storage available in the catchment as well as by transmission losses along the flow route. The different elements of a catchment where temporary flood storage occurs include: • Catchment surfaces (overland flow segments); • Stream channels; • Stream banks; • Floodplains; and • Drainage channels (or pipes). These forms of storage are distributed in nature – the storage is spread along these catchment elements. In flood hydrograph estimation modelling the different forms of storage do not need to be represented separately but can be modelled as combined (conceptual) storage elements." Stormwater flash flooding for Traralgon has not been considered in the Traralgon Flood Study. This will be considered in the Urban Flood Study. The VicSES Flood Guide has been updated to only show riverine flooding.		
5E			• Insurance premium has increased. Insurance provider	Insurance premiums are not a planning consideration and are outside the scope of	Yes	3 October 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			has said it is due to the increased risk of bushfire and flood. • Overlays applied to their street are in error, website is still not updated. • Stormwater flooding was not covered in the scope of the amendment. • Wants to know if LCC has evidence of the effectiveness of the stormwater system or reported incidence of stormwater flooding in the area.	the amendment. Overlay has been removed from the property and a further stormwater specific assessment is underway for Moe, Morwell and Traralgon. Submission is considered **resolved** and submitter has verbally withdrawn their submission.		
6	[redacted]	**Objection**	• Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, due to: o Drainage within the Glengarry township should be upgraded. o Council inspections discovered blockages in drains but believe there may be more in the future. o Believe council will stop maintaining drains if overlay is applied. o New estates starting to be built upon in Glengarry will also have significant effect on our drainage.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests which has previously occurred near this property. The impacts from this event reveal that there is no provision of overland flow paths which cater for flows in excess of the piped drainage network or as a redundancy to that network. There is a gap in the level of service between	No	21 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				the applicable standards at the time of development at this location and the modern drainage standards. The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. There is no obligation to update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme. However, following the impact of these events Council is undertaking a flood mitigation study to provide increased protection to habitable floor level flooding that has been experienced in the catchment. This is currently being prepared. New developments are subject to modern requirements that include a stormwater strategy in which stormwater that flows from the new lots are attenuated within the development so that outflows match the pre-development peak flows. This is to ensure there are no downstream impacts.		
7	[redacted]	**Objection**	• Does not support the subject land having LSIO applied to it, due to: o Has never seen the land flood before. o The subject site is within the Traralgon North Development Plan and believes that the LSIO will reduce development	After further review the flood mapping identified in Marshalls Road, the LSIO has been removed, based on the location being a shallow pocket that can be managed through the Stormwater Management Plan within the Development Plan. Submission is considered **resolved** and submitter has verbally withdrawn their submission. Council officers have followed up	**Yes**	21 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			potential on the sites affected. • Requests the proposed LSIO be removed from the subject site.	with a letter confirming their verbal withdrawal on 25 March 2024.		
8	[redacted]	**Objection**	• Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o In 14 years the property has only flooded due to recent storms. o Nearby crown land should be used to assist with drainage issues in the 1% AEP flood event. o Latrobe should review and fix current drains and waterways to remove flooding risk and remove the overlays. o The overlays will create planning permit triggers and uncertainty. o The overlays will increase home insurance premiums.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and is considered to be **resolved.** The flood overlays are based on a 1% AEP storm event, which is larger than that recently experienced and has not occurred in Glengarry in the last 14 years. Council land opposite the property is used in the management of stormwater flows through a wetland. However, the flood flows path that affects this property extends down Carey Drive from the North. The level of drainage service provided has not changed since its creation and an update the existing drainage infrastructure to the	**Yes**	17 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				current standards will likely require significant capital investment and may not be feasible. Areas of land impacted by LSIO trigger a planning permit requirement for most buildings and works and require referral to WGCMA. The overlays map risk and ensure that development that occurs there is sensitive to flood risk. Insurance premiums from applying overlays are not a relevant town planning consideration.		
9	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o Drainage needs to be fixed, which will remove the need for overlays. o Rail trail needs attention. o Land never flooded in 20 years.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and is considered to be **resolved.** The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. There is no obligation to update the legacy drainage infrastructure to the current standards which, if feasible, will likely require	**Yes**	21 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				significant capital funds and may be subject to a Special Charge Scheme. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or conveyance of a pipe or swale drain. The flood overlays are based on the modern standard of a 1% AEP storm event, which has not occurred in Glengarry in the last 20 years. The rail trail is owned by the Department of Environment, Land, Water and Planning (DELWP) and managed by a committee, who have been notified about drainage concerns from neighbouring residents.		
10A	[redacted]	**Objection**	• Does not support the subject land having LSIO applied to it, and have the following concerns: o Property has never flooded before. o Stormwater drains are blocked and flood, and if fixed this should reduce the expected flooding. o The rail trail acts as a flood levy and has no drainage which floods neighbouring properties.	Following further investigation and a feature survey of the site, the level of the house has been confirmed to be raised. Updated mapping has been completed for this site and is has been removed from the overlay. Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts. There is a gap in the level of service between the applicable standards at the time of development at this location and the modern drainage standards. The level of drainage service provided has not changed since its creation and there is no obligation to update the existing drainage	**YES**	21 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				infrastructure to the current standards which will likely require significant capital investment and may not be feasible.		
10B		Objection	• Requests the overlay be reviewed due do: o The subject land has been raised since the flood study was undertaken and needs to be reassessed to determine if the LSIO is still required. o The LIDAR is over three years old and does not show the changes on the subject site and surrounds from the subdivision that occurred there.	Following further investigation and a feature survey of the site, the level of the house has been confirmed to be raised. The property has largely been removed from the overlays.	**YES**	28 Feb 2022
10C		Withdrawn	• Withdraws submission	Noted		13 July 2022
11A	[redacted]	Objection	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o Gippsland Water cleaned out drains recently, and flooding should not occur if the drains are maintained. o Stormwater infrastructure maintenance should be undertaken instead of applying an overlay. o documentation.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. Council engaged Contractors to complete works to clear tree roots from the underground stormwater drain. Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flow paths in more severe flood events which is depicted in the mapping. Maintenance activities of drainage	No	16 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				infrastructure would not affect the expected capacity or conveyance of a pipe or swale drain. The impacts from recent event/s reveal that there is no provision of overland flow paths which cater for flows in excess of the piped drainage network or as a redundancy to that network. There is a gap in the level of service between the applicable standards at the time of development at this location and the modern drainage standards. However, following the impact of these events Council has commissioned a flood mitigation study to provide increased protection to impacted habitable floor levels in the catchment. Flood risk is calculated based on a combination of previous flood events, topography, expected rainfall, and existing stormwater infrastructure. The flood event is called a 'design event' and is expressed as a probability of that land flooding to a certain level. Flood overlays are a key tool in communicating to existing and potential property owners of the existing inundation risk of the land.		
11B			• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the	Insurance premiums are worked out by the insurer, and often is assessed internally through their own established methods. Given the flood studies were released		18 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			following concerns: o Insurance premiums will increase. o The amendment should be abandoned and drainage within Glengarry should be upgraded to contain the extent of flooding in a 1% AEP flood event. o Requests the amendment provide further information regarding what 'land subject to inundation means. o Requests that clarity around the overlays being a justification that council needs to secure funding for drainage upgrades be clearly explained in amendment	publicly when it was initially completed in 2019, most insurers should already be aware of the flood risk on the properties identified within the amendment. The *Planning and Environment Act 1987* requires the responsible authority to map flooding risks independent of external funding programs.		
11C			• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: • Flood Study was completed internally at WGCMA as a part of their student program. • Does not agree with the amount of rain needed to cause a 1% AEP flood as a flash flood with a similar	Flood studies prepared under the student program by WGCMA are supervised by a qualified engineer and reviewed before being finalised. In the absence of recorded rain gauge data for the waterways being considered in the Glengarry Eaglehawk Creek Flood Study. The BOM average rainfall data for the area was used. This is consistent with the methodology outlined in the Australian Rainfall and Runoff Guidelines.	Yes	1 April 2024

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			amount of water fell in an hour and did not affect their property. • The data is too old to be reliable. • The overlay does not account for changes made to the property over the past 9 years. • The flood overlays should not be implemented until flood mitigation studies are completed. • There have been no problems in town since the stormwater pipes were unblocked. • Would like a more updated study.	While Council is currently preparing options for flood mitigation in Glengarry, Section 62(e) of the Planning and Environment Act 1987 enables planning schemes to '*regulate or prohibit any use or development in hazardous areas, or areas likely to become hazardous'*. As a result, planning schemes contain State planning policy for floodplain management requiring, among other things, that flood risk be considered in the preparation of planning schemes and in land use decisions (PPN12). The Water Act 1989 Section 204 specifically states that *"In making a declaration under section 203(1) , an Authority* (West Gippsland Catchment Management Authority) *may adopt a flood level, a flood fringe area or a building line which, in its opinion, is the best estimate, based on the available evidence, of a flood event which has a probability of occurrence of 1 per cent in any one year."* In addition, Council is also obligated to map the flood levels to the 1% AEP event as Regulation 148 of the *Building Regulations 2018* states that "a council must prepare maps for all designated special areas within its municipal district." A "designated special area" means— (a) an area liable to flooding. As such, regardless of whether an event has been experienced, Council has a statutory obligation to map to the 1% AEP flood event. As such Council has a statutory obligation to map the flood hazard, particularly as there is no guarantee that any of the mitigation options are feasible.		

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				The extent of the overlay has been reduced based on a site review of height levels.		
12A		Objection	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o The ground levels were altered after the flood studies were done and needs to be re-surveyed to determine if the flood risk is still there.	After further review of the flood map at this location has been removed.	**YES**	19 February 2022
12B	[redacted]	Withdrawn	• Withdraws submission	Noted	**NA**	15 June 2022
13A		Objection	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o The property is not nearby any water ways and should have the overlays removed. o Neighbouring properties not included in amendment.	After further review of the flood mapping at this location has been removed.	**Yes**	22 February 2022
13B	[redacted]	Withdrawn	• Withdraws submission	Noted	**NA**	16 June 2022
14	West Gippsland Catchment Management Authority	Support	Authority is supportive of amendment.	No change is required to the amendment as a result of the submission.	**No**	22 February 2022
15	[redacted]	Objection	• Does not support the subject	The Peer Review Report found that the	**Yes**	22 February

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o In the 30+ years there, the property has not flooded. o Requests removal of the overlay.	Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and is considered to be **resolved.** Flood modelling considers a number of factors including stormwater behaviour and expected rainfall, not just proximity to waterways. The flood modelling utilised data sourced using an aerial laser (LIDAR). As a result, this flood study is much more precise than previous modelling and results show the subject site is likely to inundate in a 1% AEP flood event - a larger flood event than that experienced in the catchment by the objector.		2022
16	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: The land is not subject to	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from	**Yes**	23 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			flooding, only inadequate maintenance of the drainage along Carey Drive.	Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and is considered to be **resolved.** Roadside open drains and underground drains are present around this property as required by the applicable standard at the time of subdivision. The roadside drains are provided to prevent water from damaging the road pavement and the underground pipes to convey a minor storm event. There is no provision for safely conveying a 1% AEP major flood event. Underground drains are not a viable means to completely remove and store all water in a major flood event. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or conveyance of a pipe or swale drain.		
17	APA	**Support**	APA Group has no objection to the proposed amendment.	No change is required to the amendment as a result of the submission.	**No**	23 February 2022
18	[redacted]	**Objection**	• Does not support the subject land having Land Subject to	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study	**No**	24 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			Inundation Overlay (LSIO) applied to it, and have the following concerns: o The LSIO will devalue their property. Drainage should address flooding.	assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. There is a gap in the level of service between the applicable standards at the time of development at this location and the modern drainage standards. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or conveyance of a pipe or swale drain. The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. To update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme. Land values are not a relevant town planning consideration. Submission is considered **resolved** and submitter has verbally withdrawn their submission. Council officers have followed up with a letter confirming their verbal withdrawal on 25 March 2024.		
19A	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o The LSIO is separated	After further review the flood mapping identified in their street has been removed until a future urban catchment specific stormwater assessment can be completed.	**Yes**	24 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			from the Traralgon Creek Floodplain. o The flood modelling in the flood studies are computer generated 'best guess', and do not reference or consider stormwater, flash flooding or resulting overland flows in the Traralgon urban area. o In 11 years, the property has not been flooded or had stormwater issues, as the stormwater infrastructure is working well.			
19B		Withdrawn	• Withdraws submission	Noted	**NA**	15 July 2022
20	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o The application of the overlays appears to be based on recent flood events, not the flood studies. As they believe the mapping accurately matches where recent flood events occurred. o The flooding is due to poor stormwater maintenance of the drain in front of their property.	There is an existing LSIO that maps flooding at this property which is increased in the new overlay. The modelling from the *Traralgon Flood Study 2015* reveals that the subject site will be impacted by riverine flooding. Drainage infrastructure is a combination of underground pipes to convey minor storms events and overland flows paths in 1% AEP flood events which is depicted in the mapping. At this location the piped network is also influenced by the level of the Traralgon Creek, with elevated levels of the creek, as experienced in June 2021, leading to additional overland flows at this property.	**No**	27 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ The overlays will impact land value and insurance cost.	There is no provision for safely conveying a 1% AEP major flood event. Underground drains are not a viable means to completely remove and store all water in a major flood event. Land values are not a relevant town planning consideration.		
21	[redacted]	**Objection**	• Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: ○ The overlays will devalue the properties ○ In 29 years, the property has never flooded, however the road has. ○ There have been no works done to drainage in Glengarry in the 35 years they've resided there.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests. The level of drainage service provided to this and surrounding properties is in accordance with the applicable requirements at the time of the lot creation. To update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme. The flood modelling should account for pipe capacity; however, maintenance activities would not affect the expected capacity or conveyance of a pipe or swale drain. The overlays are based on a design flood event for a 1% AEP flood which is larger than that experienced recently in Glengarry and the identification of this flooding validates the	**NO**	28 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				flood mapping. Land values are not a relevant town planning consideration.		
22	[redacted]	**Objection**	• Does not support their land having Land Subject to Inundation Overlay (LSIO) applied to it and have the following concerns: Neighbouring properties at 57-59B and 61B have been built up 1m, and a spoon drain established. o The planning map doesn't show the new dwelling on 57-59B. o The LSIO will make any subdivision, dwelling or shed permit prohibited or difficult to obtain. o Insurance premiums will increase. o Council should maintain drainage regularly in Glengarry, as there are many drainage issues in Kyne Street. o If the Overlays are applied, the landowner will undertake earthworks and apply fill to the area of land within the overlay.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. Planning decisions are made with the best available information at the time. Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests. Site inspection undertaken for properties to the North 23/03. General area was inspected including this property and review of LIDAR undertaken. No change justified based on the information available. The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. To update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme. The LSIO creates a planning permit trigger for buildings and works within the area where the overlay applies. It does not prohibit development, rather it introduces a mechanism of referral to the WGCMA to	**NO**	1 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ Existing stormwater infrastructure should be updated/upgraded prior to issuing any more planning permits within Glengarry.	ensure that development is sensitive/considerate of flood risk.		
23	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: The property has not flooded in the 30+ years they've owned it.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and is considered to be **resolved.** Drainage is not a viable means to completely remove and store all water in a 1 per cent Annual Exceedance Probability (AEP) flood event. The overlays are based on a design flood event for a 1% AEP flood which is a larger event than that experienced. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or	**Yes**	28 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				conveyance of a pipe or swale drain.		
24	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: They do not believe their property is subject to flooding.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. There is no provision for safely conveying 1% AEP flood flows as identified by uncontrolled overland flow paths in the mapping in this section of Glengarry. Underground drainage is not a viable means to completely remove and store all water in a major flood event. The flood modelling should account for pipe capacity; however, maintenance activities would not affect the expected capacity or conveyance of a pipe or swale drain. Submission is considered **resolved** and submitter has **verbally withdrawn** their submission. Council officers have followed up with a letter confirming their verbal withdrawal on 25 March 2024.	**NO**	1 March 2022
25	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o Their house has not been impacted by floods before. Recent flooding is due to blocked gutters which should be cleaned.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken	**Yes**	28 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and is considered to be **resolved.** Drainage infrastructure is a combination of underground pipes to convey minor storms events and overland flows paths in 1% AEP flood events which is depicted in the mapping. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or conveyance of a pipe or swale drain. There is no provision for safely conveying 1% AEP flood flows as identified by uncontrolled overland flow paths in the mapping in this section of Glengarry. Underground drainage is not a viable means to completely remove and store all water in a major flood event. The overlays are based on a design flood event for a 1% AEP flood which is a larger event than that experienced.		
26	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o In the 37 years they've owned this property its never flooded. o The property had fill in 1982-83 to make it sit	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to	**Yes**	22 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			higher than the property behind it. Better drainage will remove flood risk and the flood overlays.	concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and is considered to be **resolved.** The flood mapping is intended to qualify the current flood risk to the property. The provided drainage level of service has not changed since its creation and updating drainage infrastructure would likely be costly and possibly unfeasible. Should future upgrades be implemented then the mapping can be updated accordingly. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or conveyance of a pipe or swale drain. In the last 37 years there hasn't been a 1% AEP flood event, the modelling shows what this event would look like and is calculated based on previous flood events, stormwater infrastructure, expected rainfall and riverine flooding. The flood studies will have considered topography of the land, which includes the fill that was placed on the property in 1982-83. A laser on an aircraft undertook laser measurements for the modelling in 2015.		
27	[redacted]	**Objection**	• Does not support the subject land having Land Subject to	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study	**NO**	28 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			Inundation Overlay (LSIO) applied to it, and have the following concerns: o Their land is identified as future residential in the Glengarry Structure Plan. o If the property is re-zoned residential, their rates will increase. How does existing infrastructure in Glengarry support new estates in the area.	assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. Amendment C131 implements the recommendations of nine flood studies into the Latrobe Planning Scheme. Both studies recommended that the Latrobe Planning Scheme be amended to introduce updated mapping of the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) to reflect the modelling undertaken. Amendment C131 is not proposing any changes to Glengarry's Structure Plan beyond the flood overlays, it does not show any new future growth areas other than what already exists in the Planning Scheme. The Glengarry Structure Plan was first introduced into the planning scheme through Amendment C24 (Small Town Structure Plans) on 10 February 2011. This showed future residential and low density residential opportunities in Glengarry. Economic factors are not a relevant town planning consideration.		
28	Adrian Marshall	**Objection**	• Does not support the subject land having Land Subject to Inundation (LSIO) applied to it, and have the following concerns: o Their land is identified as future residential in the Glengarry Structure Plan. o If the property is re-zoned	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. Amendment C131 implements the recommendations of nine flood studies into the Latrobe Planning Scheme.	**NO**	27 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			residential, their rates will increase. How does existing infrastructure in Glengarry support new estates in the area.	Both studies recommended that the Latrobe Planning Scheme be amended to introduce updated mapping of the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) to reflect the modelling undertaken. Amendment C131 is not proposing any changes to Glengarry's Structure Plan beyond the flood overlays, it does not show any new future growth areas than what already exists in the Planning Scheme. The Glengarry Structure Plan was first introduced into the planning scheme through Amendment C24 (Small Town Structure Plans) on 10 February 2011. This showed future residential and low density residential opportunities in Glengarry. Economic factors are not a relevant town planning consideration.		
29	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation (LSIO) applied to it, and have the following concerns: The property was developed in 2020 and this may impact the flood modelling on the property.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the	**Yes**	3 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				property and is considered to be **resolved.** A request for further information on the location of the reported fill was not responded to.		
30A	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o The subject land is at least a kilometre away from the Traralgon Creek and has not flooded before nor is near any bodies of water. o Strathcole Drive should have the overlay removed from it, as the owner is manually surveying their property and their neighbours. o Requests the size and dates of installation for stormwater pipes that run along the subject site. o Has owned property since 1994, and only one flood has occurred in this time, which was in 2007 and due to poor maintenance of drains. o Overlays will affect land values.	Following a site visit, review of LIDAR and stormwater flooding inputs into the study the flood mapping relevant to this property is recommended to be removed until a future urban specific catchment flood assessment is completed.	**YES**	2 March 2022
30B		**Withdrawn**	• Withdraws submission	Noted	**NA**	29 June 2022
31A		**Objection**	• Does not support the subject	After further review the flood mapping	**YES**	3 March

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			land having Land Subject to Inundation (LSIO) applied to it, and have the following concerns: o The modelling in the 2016 Traralgon Flood study concluded that the drainage system could not sustain a 1% AEP flood event based on modelling. o Could not locate various information within the amendment documents and believes they were not provided. o The flood study is over 6 years old and conditions may have changed. o LIDAR data used in the modelling is over 10 years old. o None of the reports have made specific reference to Michael Court. o Modelling has not taken into account recent substantial rain events. o The modelling considered council drainage infrastructure, but this information was not available to view. o The area has never flooded in the way that the overlays are being	identified in the Court has been removed until a future urban catchment specific stormwater assessment can be completed.		2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			applied.			
31B		**Objection**	• Does not support the subject land having Land Subject to Inundation (LSIO) applied to it, and have the following concerns: o The flood study does not include all urban areas of Traralgon o There is no concise definition of the LSIO o Modelling is only as good as the information provided. o Would like further information of the methodology used. o Drainage infrastructure is inadequate and that is causing the flooding o No mention of drainage in the flood study. o Have other towns had their drainage infrastructure assessed. o Data is old. o The modelling needs to take into account buildings, vegetation, soil permeability. o Why are there no works occurring to increase the number of stormwater drains in Michael Court.	An urban catchment specific stormwater assessment is currently underway for Moe, Morwell and Traralgon. It is agreed, that a model is only as good as the data inputted which is why flood studies are continuously updated as more data becomes available. Section 62(e) of the Planning and Environment Act 1987 enables planning schemes to '*regulate or prohibit any use or development in hazardous areas, or areas likely to become hazardous*'. As a result, planning schemes contain State planning policy for floodplain management requiring, among other things, that flood risk be considered in the preparation of planning schemes and in land use decisions (PPN12). The Water Act 1989 Section 204 specifically states that *"In making a declaration under section 203(1) , an Authority* (West Gippsland Catchment Management Authority) *may adopt a flood level, a flood fringe area or a building line which, in its opinion, is the best estimate, based on the available evidence, of a flood event which has a probability of occurrence of 1 per cent in any one year."* In addition, Council is also obligated to map the flood levels to the 1% AEP event as Regulation 148 of the *Building Regulations 2018* states that "a council must prepare maps for all designated special areas within its municipal district." A "designated special area" means— (a) an area liable to flooding. As such, regardless of whether an event has		9 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				been experienced, Council has a statutory obligation to map to the 1% AEP flood event. As such Council has a statutory obligation to map the flood hazard, particularly as there is no guarantee that any of the mitigation options are feasible. The Amendment was undertaken in the timeframes recommended in the West Gippsland Floodplain Management Strategy.		
31C		Withdrawn	• Withdraws objection	Noted	**NA**	14 June 2022
32	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o Insurance premiums will increase, or insurance will be unavailable. o In the 20 years that some residents have lived in this location they have not witnessed flooding on the subject sites.	The *Traralgon Flood Study 2015* has been peer reviewed and the mapping was found to be appropriate. The property has been removed from the LSIO as the Traralgon Flood Study stated that it was due to stormwater flooding and was not recommended to be included in the proposed overlays. The subject area hasn't had a 1% AEP flood event in the last 20 years. The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood. Insurance premium cost is not a relevant town planning consideration. The Planning and Environment Act requires the responsible authority to map risks, and the last flood study was done in 2012.	**NO**	2 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				The submission is considered **resolved.**		
33	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o The area proposed to be in the LSIO contains a drain which was previously blocked. As the drain is now working, why is it going to flood. o The flood modelling has not taken into account the drainage network which needs upkeep. o Councils maintenance program for drains in the area is not sufficient. Clear problem trees from drainage pipe network.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The Overlay has been removed from the property and is considered to be **resolved.** Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests as occurred near this property. The impacts from this event reveal that there is no provision of overland flow paths which cater for flows in excess of the piped drainage network or as a redundancy to that network. The level of drainage service provided has not changed since its creation and there is no obligation to update the existing drainage infrastructure to the current standards which will likely require significant capital investment and may not be feasible. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or conveyance of a pipe or swale drain. The flood modelling considers existing stormwater infrastructure with the assumption of it working 100% - therefore the application of Overlays is correct and not needing to be reviewed in relation to stormwater	**YES**	2 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				infrastructure.		
34A		Objection	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o Traralgon Creek would have to rise 50m to inundate the subject site. o The subject site has been inundated in 2007 and 2010 due to blocked stormwater drains. o Council could buy vacant land on the corner of Hyland Highway and Shakespeare Street and construct a basin to catch flood water.	After further review the flood mapping identified in Nixon Court is recommended to be removed to recognise the drainage works undertaken that have addressed the overland flow.	**YES**	28 February 2022
34B		Objection	• Flooding is caused by surface water. • Drainage in the area contributes to the problem • It will affect insurance premiums.	As the flooding was due to stormwater inundation, the overlay has been removed from the property.	**NO**	21
34C	[redacted]	Withdrawn	• Withdraws submission	Noted	**NA**	18 October 2022
35A		Objection	• Does not support the amendment and are concerned about how it may impact them.	Property is not impacted by proposed overlays.	**NO**	28 February 2022
35B	[redacted]	Withdrawn	• Withdraws Submission	Noted	**NA**	23 December 2023
36A	[redacted]	Objection	• Does not support the subject land having LSIO applied to	After further review the flood mapping identified in Jazmine Court is recommended	**YES**	28 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			it, and have the following concerns: o The subject site is located a distance from Traralgon Creek and not at risk from flooding. o In the event of a flood, the drains will reach capacity, and water will flow along the street network. However, there are locations in this Court where due to low lying land, water flowing out of storm water drains cannot continue travelling away and will flood this area. o LSIO within a proposed residential estate should have been planned for and resolved and is the result of poor planning that flooding will occur there. o Jazmine Court has never been inundated. o When purchasing the land, the solicitor who oversaw the transfer of land advised that Council records indicated that flooding wasn't a risk. o Why map a 1% AEP flood event and not a 1 in 200 year flood event.	to be removed until a future urban catchment specific stormwater assessment can be completed.		

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ Why isn't Latrobe City drainage designed to resolve a 1% AEP flood event.			
36B		Withdrawn	• Withdraws Submission	Noted	**NA**	26 July 2022
37A	[redacted]	**Objection**	• Does not support the subject land having LSIO and FO applied to it, and have the following concerns: ○ Council hasn't fulfilled its requirement under the Subdivision of Land Act, which states that the developer must submit a plan demonstrating that 1% AEP flood can pass through the development. ○ The 1% AEP flood event should be contained in the road network and drainage reserves. ○ The nearby residential development had a roadway opposite Alexandra Avenue running north of the pipe track which matches the current alignment of Kenilworth Drive and Rye Court. This development would have permitted the 1% AEP flood flow to pass north to the pipe track and then Traralgon Creek flood path.	After further review the flood mapping identified in Alexandra Avenue has been removed until a future urban catchment specific stormwater assessment can be completed. At the time of the subdivision, the existing flood overlays in place met this requirement. A stormwater plan must be submitted for subdivision application which captures overland flows. Council has fulfilled its requirements. A 1% AEP or '1-in-100-year flood' refers to a flood height that has a long-term likelihood of occurring once in every 100 years (also called a 100-year average recurrence interval). The probability of a flood event is calculated using statistical techniques. Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes and road networks are unable to convey the 1 per cent Annual Exceedance Probability flood flows. Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the	**YES**	28 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ Council should ensure that waterways are maintained in a clear and unobstructed condition reflected in the modelling. ○ A relief open drain from Alexandra Avenue has a number of pits with grated lids to allow the drain to overflow, and the impact of this overflow should be checked. Is there a relief drain from Alexandra Avenue to the oval retarding basin and has this been considered in the modelling. ○ Insurance premiums will increase.	blockage identified. Further works are under investigation to mitigate future tree root impacts. The level of drainage service provided has not changed since its creation updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible. Despite the development of the new estate, the flood modelling for this property determined that the inundation is sourced not just from drainage infrastructure, but also rainfall at a large event that drains are unable to hold. Unfortunately, insurance premiums are not a relevant town planning consideration.		
37B			• Ethically cannot remove submission.	Noted	**NO**	22 July 2022
37C			• Says is not interested in the Amendment anymore as they have moved.	Noted.	**NO**	19 December 2023
37D			• Does not withdraw submission as comments relating to the management of the floodplain and creek still applies	WGCMA are the floodplain authority and are responsible for looking after waterways. However, the management of the floodplain and creeks are outside the scope of the Amendment.	**NO**	20 December 2023
38A	[redacted]	**Objection**	• Does not support the subject land having the Flood Overlay (FO) applied to it, and have the following concerns: ○ The property has had fill	After further WGCMA review the proposed overlay has been removed to reflect the existing built-up levels at the rear boundary of this property.	**YES**	3 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			added, along with retaining walls since the flood studies were done. This will affect the rate of flow over the land the extent of the overlays.			
38B		Withdrawn	• Withdraws submission	Noted	**NA**	14 July 2022

39	[redacted]	Objection	**Objection**
			• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns:
			  • In the 16 years they have had this land it has not flooded.
			  • It does not make sense that Hedges Avenue and Traralgon Tennis Courts are closer to the creek and not impacted by overlays.
			  • The overlays on the subject site are due to stormwater and movement of water, and stormwater was not included in the modelling.
			  • Home insurance will increase.
				After further review the flood mapping identified in Jazmine Court is recommended to be removed until a future urban catchment specific stormwater assessment can be completed.
				
				Flood modelling considers stormwater behaviour, expected rainfall etc not just proximity to waterways. The data from this flood study is accurate and the subject site will be affected by flooding in a 1% AEP flood event.
				
				Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes and road networks are unable to convey the 1 per cent Annual Exceedance Probability flood flows.
				
				Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts.
				
				The level of drainage service provided has
					YES	3 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				not changed since its creation updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible. Unfortunately, insurance premiums are not a relevant town planning consideration. Home insurance is not a valid town planning consideration. Submission is considered **resolved**		
40	[redacted]	**Objection**	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) removed and Flood Overlay (FO) applied to it, and request that the LSIO remain and the FO be removed. They have the following concerns: o Property value will reduce. o Home insurance premiums will increase. o Re-development will be expensive if the design has to consider flooding risk. o The neighbouring property at number 11 is remaining within the LSIO despite it backing directly onto the Traralgon Creek. The flood modelling doesn't take into consideration flood mitigation works.	The *Traralgon Flood Study 2015* was peer reviewed and the mapping was found to be appropriate. The proposed overlays are recommended to stay the same. Council sought further clarification from the CMA on this site and whether the FO was the appropriate tool. The CMA confirmed that the floor level is just below the flood level predicted and therefore would be susceptible to a 1% AEP flood. The requirements for a permit in both the LSIO and FO are very similar. The submission included flood photos from the June 2021 event – which confirm the need to adequately consider future flood risk during redevelopment. The modelling included the current alignment and levels of nearby bridges. It also considers local hydraulic effects and a translation from river gauges locations to their property is not considered as accurate as the model results.	**NO**	3 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				Property values and insurance premiums are not a relevant town planning consideration.		
41	[redacted]	Objection	Requests that flood depths be reviewed and the LSIO be removed from the specified sites.	The CMA has indicated they are willing to review these sites if the owner provides evidence of the change of levels on site through a planning permit or new land survey showing a fill development plan. Correspondence has been sent to the submitter providing this advice and the contact details of the CMA however all requests for further information have not been responded to. The Traralgon site is proposed to have the overlays removed from the property. The peer review recommended that the Eaglehawk Creek and Eel Hole Creek flood mapping proceed.	**NO**	4 March 2022
42A	[redacted]	Objection	• Does not support the subject land having Land Subject to Inundation Overlay (LSIO) applied to it, and have the following concerns: o Previous large floods in Traralgon have not impacted this property. o The flood studies were completed in 2015 and 2016 and the subject site was purchased in 2018. Why didn't Council make this document available. o The subdivision was approved in a flood zone.	After further review this property is recommended for removal from the overlay. The flood depth is shallow and expected to be contained with the road.	**YES**	4 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ How does the LSIO protect future development if the property is already developed.			
42B		Withdrawn	• Withdraws Submission	Noted	**NA**	11 July 2022
43	[redacted]	Objection	• Does not support the subject land having FO and LSIO on it, and have the following concerns: ○ Subject site did not have flood overlays on in when purchased 10 years ago and wasn't aware that the current FO and LSIO were on there until now. ○ Property has not flooded in the time they have resided there. ○ Aboriginal overlay in the back corner should be removed.	No change to overlays is proposed for this property. Previous large floods were not 1% AEP flood events. Moe has not seen a 1% AEP flood event in the last 10 years. The amendment is not changing the extent of the FO and LSIO in place as an updated Narracan Creek Flood Study is not included as a background document. Amendment C12 applied the current FO and LSIO which included direct notification to landowners and notice in the local newspaper. Council fulfilled its requirements for consultation during Amendment C12. Cultural Sensitivity areas are not within the scope of the Amendment and are subject to the Aboriginal Heritage Act 2006.	**NO**	5 March 2022
44A	[redacted]	Objection	• Does not support the subject land having LSIO applied to it, and have the following concerns: ○ Planning Permit 2012/252/A was issued for a six-lot subdivision and the new lots have been developed including adding fill. This may have	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. However, WGCMA inspected and surveyed the property on 23 March 2023. It was found that the overlay could be reduced based on	**YES**	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			changed the rate of flow in the flood modelling.	survey and fill plan. It cannot be entirely removed as some areas of property are still lower than the identified flood level.		
44B		Withdrawn	• Withdraws Submission	Noted	**NA**	29 January 2024
45A	[redacted]	**Objection**	• Does not support the subject land having LSIO applied to it, and have the following concerns: o In the 40 years they have resided in Traralgon, previous flooding has not resulted in inundation to the extent shown in the overlays. o How does the water get to this property. o A flood study for Traralgon was completed in 2016 (Water Technology, 2016). This study modelled riverine flooding as a result of Traralgon Creek but did not include impacts of flooding from overland flow and urban stormwater. o Yet West Gippsland Catchment Authority has said that the water in Sherwood & Jazmine court is from stormwater runoff and not from flooding of Traralgon Creek.	After further review the flood mapping identified in Sherwood Court has been removed until a future urban catchment specific stormwater assessment can be completed.	**YES**	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
45B		Withdrawn	• Withdraws Submission	Noted	NA	16 June 2022

46A	[redacted]	Objection	• Does not support the subject land having LSIO applied to it, and have the following concerns:
			  • The subject property has had cut and fill since the flood studies were undertaken which will affect the flow of flood water and extent of overlays.
			  • Recent flood events should go before any computer based behavioural model, as these events did not flood the subject property.
			  • The LSIO applies to mainstream flooding only, and there are no mainstream flooding impacts to this location.
			  • The Traralgon Flood Study table 4-5 'summary of flood behaviour for various flood events' does not mention this area.
			  • The WGCMA Floodplain Management Strategy (2018-2027) states that stormwater flooding impacts a number of towns caused by heavier
				After further review the flood mapping identified in Sherwood Court has been removed until a future urban catchment specific stormwater assessment can be completed.	YES	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			than usual rainfall, and Local Governments are accountable for managing urban stormwater. • The Latrobe River Flood Study (2015) page 23 noted that major flooding does not appear to impact the current town boundaries at Traralgon.			
46B		**Objection**	• Has not experienced any flooding while living there. • The LSIO should not apply as the inundation is due to stormwater issues. • Property is not mentioned in the flood studies • No mention of stormwater impacts in the flood studies. • LSIO should not apply to developed areas.	Noted, no living memory of a flood does not mean it will not occur. Having said that, it is acknowledged that the inundation was due to stormwater and the overlay has been removed from the property.	**YES**	21 February 2022
46C		**Withdrawn**	• Withdraws submissions	Noted	**NA**	16 June 2022
47A	[redacted]	**Objection**	• Does not support the subject land having FO applied to it, and have the following concerns: o The property was filled and a retaining wall was constructed on the northern boundary. o The previous flood amendment (Amendment C9, gazetted Mar 2012) proposed LSIO, which	There have been no 1% AEP flood events in the time the submitter has owned the property. Storms and flooding that have occurred in this time were not classed as 1% AEP flood events, therefore the flow and direction of water is not reflective of the design event we are mapping the overlays for. After further WGCMA review the proposed overlay is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property.	**YES**	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			was removed post-exhibition due to their submission regarding the fill on site. o Recent flood events since 2008			
47B		Withdrawn	• Withdraws Submission	Noted	**NA**	14 July 2022
48A	[redacted]	Objection	• Does not support the subject land having an increase in the existing LSIO and FO applied to it, and have the following concerns: o The subject land was purchased in 2015 and the Plan of Subdivision did not show the Overlays. o The increase in Overlays will increase insurance premiums. o The development should not have been allowed if there was flood risk.	After further review by the WGCMA, the proposed overlay is recommended to be removed to reflect the existing built-up levels at the rear boundary of this property. The June 2021 flood was not a 1% AEP flood event and is not a reliable source to determine that a 1% AEP flood event will affect a property. Overlays can only be applied when reliable data has been produced to justify a change in overlays. Free flood advice is available on WGCMA website. Planning controls change over time - there is no certainty that land will remain the same over time, and a land purchaser has the responsibility to undertake due diligence when making such a purchase. The *Planning and Environment Act 1987* ensures that consultation during exhibition of a planning scheme amendment allows landowners/occupiers to be aware of when such changes occur. Insurance premiums are not a relevant town planning consideration and are not determined by the planning overlays.	**YES**	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
48B		Withdrawn	• Withdraws Submission	Noted	**NA**	23 July 2022
49	Department of Environment, Land, Water and Planning (now DEECA)	Support	DELWP has no objection to the proposed amendment.	No change is required to the amendment as a result of the submission.	**NO**	7 March 2022
50	[redacted]	Objection	• Does not support the subject land having LSIO and FO applied to it, and have the following concerns: o Property insurance premiums will increase and become unaffordable, or uninsurable. o The property has not been impacted by flooding since they have owned it, from 2005 onwards.	The Traralgon Flood Study was peer reviewed. It found that the mapping was appropriate. The proposed overlays have been removed as it relates to stormwater inundation and is not consistent with the recommendations in the Traralgon Flood Study. The Overlay has been removed from the property and is considered to be **resolved.** Insurance premiums are not a relevant town planning consideration and are not determined by the planning overlays. The subject area hasn't had a 1% AEP flood event in recent years. The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood. The subject land is located behind the Peterkin Street levee, accordingly the LSIO is appropriate in this location.	**YES**	7 March 2022
51A	[redacted]	Objection	• Does not support the subject land having LSIO applied to it, and have the following concerns:	The Traralgon Flood Study was peer reviewed. It found that the mapping was appropriate. It is recommended that the overlays be removed from the property.	**YES**	7 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ The recent floods in June 2021 did not impact the subject site.	Recent floods in June were not 1% AEP flood events. Mapping indicates that the subject site will be inundated in a 1% AEP flood event. The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood.		
51B		Withdrawn	• Withdraws Submission	Noted	**NA**	2 January 2024
52	[redacted]	**Objection**	• Does not support the subject land having FO applied to it and the existing LSIO increase in size, and have the following concerns: ○ The overlays do not protect properties which are already developed. ○ Overlays are not useful for flood protection, and requests that a special building overlay or similar occur.	The Traralgon Flood Study was peer reviewed. It found that the mapping was appropriate. The proposed overlays are recommended to be retained. The overlays are a critical tool in communicating the flood risk to existing and future property owners rather than preventing floods. The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood. In addition to overlays, previous flood studies have identified mitigations such as that proposed as part of the Traralgon Bypass in the Traralgon Creek Flood Study. Future flood studies focused on urban areas could consider Special Building Overlays (SBO), but it is not considered as part of this amendment.	**NO**	7 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				Submission is considered **resolved** and submitter has verbally withdrawn their submission. Council officers have followed up with a letter confirming their verbal withdrawal on 25 March 2024.		
53A	[redacted]	Objection	• Does not support the subject land having FO and LSIO applied to it, and have the following concerns: o Why does English Street Act like a dam wall, why does water from the settling ponds run into the nearby farm paddock. o Why is the drain beside Macklins driveway not used to direct flood waters away from the residential lots into the paddock. o Concern with existing drains in the area leading to flooding in back yards..	As works have begun on retarding basins in line with the recommendations of the Morwell North West Drainage Report (April 2016) and Morwell North West DCP drainage WR04 (2017) mapping has been updated to match the extent in the reports. The Overlays are proposed to be removed from the property. Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flow paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes and road networks are unable to convey the 1 per cent Annual Exceedance Probability flood flows. Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts. Drainage assets are inspected at the frequencies outlined in the Road Asset Management Plan, or ad hoc in response to community requests.	**YES**	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				The level of drainage service provided has not changed since its creation. Updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible. The driveway does act as a drain to mitigate the risk of flooding due to minor storm events in this area, although for a 1% AEP flood event the flows are significantly larger and the drain beside the driveway will not withstand the flows of this magnitude. The recent developments to the East of this site will include wetlands and retarding basins to hold back flood peaks to match the pre-development peak flows. They also use the pre-existing downstream infrastructure to convey these flows. Accordingly, the flood risk of the legacy development is considered to have no changes and will remain until it is developed in the future. The road formation of English Street is raised and the culverts underneath it are designed to managed a minor storm event in accordance with the applicable standards. The proposed mapping is based on a flood study done by the developer. Culverts appear to be modelled.		
53B		Withdrawn	• Withdraws Submission	Noted	**NA**	5 December 2023
54	[redacted]	**Objection**	• The subject site is not impacted by the amendment, but has the submitter has the	Flood modelling considers the underground pipe network to be working at full potential, as any pipes that may not be operating at their	**NO**	8 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			following concerns o The amendment should consider areas upstream such as Trafalgar and Yarragon. o The status of drains needs to be considered in flood modelling. o Upper Traralgon Creek has deteriorated significantly due to lack of care and maintenance by Council and WGCMA. o Global warming will impact the Latrobe River and Traralgon Creek resulting in more severe and frequent storm events in the future. o The proposed LSIO is reduced along the Traralgon Creek to finish just past Koornalla Reserve. Why isn't it going to be extended to Hoggs Bridge where the Traralgon and little Traralgon Creeks meet? o Instead of Overlays, there should be a floodplain plan prepared.	full potential will have very little to no effect on results of the flood modelling for a 1% AEP flood event. Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes and road networks are unable to convey the 1 per cent Annual Exceedance Probability flood flows. The level of drainage service provided has not changed since its creation updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible. The WGCMA will continue to monitor and update modelling as further data is available in relation to events such as global warming. This heightens the importance of this mapping to ensure that areas that have a flood risk are identified so that this risk can be managed into the future. The Traralgon Creek flood mapping has been updated around Koornalla as new data has become available. Flood mapping is only one tool and there are a number of other investigation and initiative underway to continue to monitor, plan, and prepare for future floods. Climate Change scenarios have been included in the flood mapping for the Latrobe		

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				River. Council and WGCMA are reviewing the need for a Floodplain Development Plan for Traralgon North as it continues to develop. This work has not yet been undertaken.		
55	[redacted]	**Objection**	• The subject site is impacted by LSIO currently and the amendment does not propose to change this. The submitter has the following concerns o The property flooded in the 1934 but not since, so why is it included in the LSIO. o The overlays will devalue properties and insurance premiums will increase.	No change is proposed. There is no supporting flood study to support changes to the flood overlays around Narracan Creek. The flood model indicates the properties that will be affected by a 1% AEP flood event, the property flooding in the past is proof that this will happen again during a 1% AEP flood event. The LSIO provides a permit trigger to refer development applications to WGCMA to ensure it complies with flood sensitive design to ensure that future development is more resilient against flood. The overlay includes many other properties and wasn't designed to single out the submitter. Unfortunately, land values and insurance premiums are not a relevant town planning consideration, nor are they determined solely by planning overlays.	**NO**	8 March 2022
56	[redacted]	**Objection**	• The subject site is proposed to be included in the LSIO. The submitter has the following concerns: o What is the definition of a floodplain and what is the depth of water on the subject site.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling	**Yes**	4 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			In the 32 years of land ownership, the property has not flooded.	and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry A large reduction in the overlay is proposed as WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of glengarry. For this property there will be a large reduction in overlay extents. **A floodplain is defined as:** An area of land that is subject to inundation by floods up to, and including, the largest probable flood event. Past floods were not 1% AEP flood events. Mapping indicates that the subject site will be inundated in a 1% AEP flood event. Flooding at this location is extensive overland flooding as the water runs downhill. Unlikely that drainage works will mitigate this impact. No information available to support a change in the mapping.		
57	[redacted]	**Objection**	• Does not support the subject land having LSIO applied to it, and have the following concerns:	The flooding was identified to be from stormwater flooding not riverine flooding. As such, it has been recommended to be removed from the amendment.	**YES**	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ In the 30 years of ownership, flooding has occurred twice due to stormwater pipes and not from a natural watercourse.	Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts. The level of drainage service provided has not changed since its creation. Updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible. The modelled 1% AEP event is likely larger than that experienced in the last 30 years and they have observed previous flooding with helps validate the mapping. Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping.		
58	[redacted]	**Objection**	• Does not support the subject land having LSIO applied to it, and have the following concerns: Stormwater blockages cause flooding.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction	**Yes**	6 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				across the western side of Glengarry. The Overlay has been removed from the property and the submission is considered **resolved.** Council inspects and maintains the surrounding stormwater infrastructure as evidenced by the works to remove the blockage identified. Further works are under investigation to mitigate future tree root impacts. The level of drainage service provided has not changed since its creation. Updating the existing drainage infrastructure to the current standards will likely require significant capital investment and may not be feasible. Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. Underground pipes are not intended to convey the 1 % AEP flood area. The flood modelling should account for pipe capacity; however, maintenance activities wouldn't affect the expected capacity or conveyance of a pipe or swale drain. The flood modelling considers existing stormwater infrastructure with the assumption of it working 100% - therefore the application of Overlays is correct and not needing to be reviewed in relation to stormwater infrastructure.		
59	[redacted]	**Objection**	• Does not support the subject	After review of on-site level and the proposed	**YES**	1 March

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			land having FO applied to it, and the existing LSIO area increased, and have the following concerns: o Flood mitigation could be addressed through stormwater and concern regarding drainage in Traralgon. o Traralgon Recreation Reserve needs upgrades to existing drainage. o New developments add to the severity and frequency of flood events. o The Latrobe River bridge causeway needs to be fixed. o Major flooding on Traralgon Creek occurs approximately every 10 years. o The flood studies recommend physical works be undertaken to mitigate flood risk, but when are these occurring. o Flood costs incurred by ratepayers. o Traralgon Creek must be maintained and cleaned regularly to avoid drain blockages.	flood mapping, The overlay has been removed from the property. Flood mitigation is addressed in a number of ways including mapping of the existing risk and mitigations such as that identified in the Traralgon Flood Study which identified a town scale mitigation that is linked to the Traralgon Bypass works. The works required to provide 1% AEP protection to the Traralgon Recreation Reserve are significant and require more than new undergrounds pipes. New developments require stormwater strategies in which stormwater flows from the new lots are held back within the lots to match the pre-development peak flows. This is to ensure there are no downstream impacts. A number of agencies including WGCMA and Council periodically undertake works to improve the conveyance of the river – such as the willow tree removal. However, this alone will not prevent flooding. Traralgon Recreation reserve is programmed for major upgrades with minor drainage works being a consideration as part of that upgrade. Plans for the upgrade are available on the Latrobe City Council Website.		2022
60	[redacted]	**Objection**	• Does not support the subject land having LSIO applied to	Following a site visit, review of LIDAR and stormwater flooding inputs into the study the	**YES**	28 February 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			it, and have the following concerns: o The area is not near Traralgon Creek or other waterways. o The property has been in ownership since 2013, and all rain events since then have not flooded the property. o The original subdivision occurred 40 years ago, and why is LSIO only being applied now. o Land value will be impacted, and insurance premiums will also increase.	flood mapping relevant to this property is recommended to be removed until a future urban specific catchment flood assessment is completed. Flooding events since 2013 were not 1% AEP flood events. Mapping indicates that the subject site will be inundated in a 1% AEP flood event. The Planning and Environment Act requires council to apply flood mapping. Planning controls change over time as more data becomes available - there is no certainty that land will remain the same over time. Overlays can be applied while a property is owned, and Council must map these once there is reliable data to support this. The *Planning and Environment Act 1987* ensures that consultation during exhibition of a planning scheme amendment allows landowners/occupiers to be aware of when such changes occur. Insurance premiums are not a relevant town planning consideration. However, the flood studies have been public documents since 2015/ 2016. Insurers assess flood risk based on this information and in conjunction with their own investigations. It is recommended that the submitter contacts their insurance to enquire how this process is conducted.		
61	[redacted]	**Objection**	• Does not support the subject land having LSIO applied to it, and have the following concerns: o The previous flood	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. As a result of the submissions received from	**Yes**	19 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			overlays (not previously on the subject land) were a more accurate representation of a 1% AEP flood event. o The aerial application of LSIO does not consider the elevation of the land, and nearby properties aren't proposed to be included in the Overlays but should be. o The Traralgon Maffra Road intersection at Cairnbrook Road and the newly constructed roundabout has included additional drainage infrastructure which will reduce flooding in a 1% AEP flood event. o Existing town drainage is inadequate which affects the application of the flood overlays.	Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlay has been removed from the property and the submission is considered **resolved.** An additional flood assessment was completed as part of the roundabout works which demonstrated that there were no adverse flood impacts as a result of the works. Drainage infrastructure is a combination of underground pipes to convey water from minor storm events and overland flows paths in more severe flood events which is depicted in the mapping. In keeping with current standards, underground pipes are not intended to convey the 1% AEP flows. Drainage infrastructure for the newly constructed roundabout is designed to allow for the flows on the roundabout to be safely conveyed from the road to reduce risk on the roadway. This infrastructure will have little to no effect on reducing flows to this area in a 1% AEP flood event. The flood modelling utilised data sourced using an aerial laser (LIDAR) which		

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				measures elevations extremely accurately. As a result, this flood study is much more precise than previous modelling and indicates the subject site is likely to inundate in a 1% AEP flood event.		
62	[redacted]	**Objection**	• Does not support the subject land having LSIO applied to it, and have the following concerns: o The area proposed to have the LSIO applied has had fill added and is now raised which may impact the application of the LSIO. o The property never floods.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. The WGCMA has indicated they are willing to review this site if the owner provides evidence of the change of levels on site through a planning permit or new land survey showing a fill development plan. Land is still developable within a LSIO, subject to a planning permit and referral to WGCMA to ensure design and development addresses flood risk. The flood mapping has been prepared with the best available information and tools. It models a flood event considered larger than that which has occurred in Glengarry in recent time. Information was requested from the property owner regarding fill on their land as this is required to support a change. Information hasn't been provided so changes to mapping cannot be considered.	**NO**	22 March 2022
63	CFA	**Objection**		The conditions listed in this submission are beyond the scope of this amendment and do not relate to what the amendment is proposing.	**NO**	9 March 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				No change is required to the amendment as a result of the submission. The CFA has verbally said that the considerations outlined in the submission should be taken as comments not an objection. However, this has not been received in writing.		
64A		Objection	• Does not support the subject land having LSIO removed and FO applied to it, and have the following concerns o The property has a retaining wall and fill which may affect the flood modelling.	After review of on-site level and the proposed flood shape, it is recommended that the property be removed from the proposed overlay.	**YES**	9 March 2022
64B	[redacted]	Withdrawn	• Withdraws submission	Noted	**NA**	15 June 2022
65A	[redacted]		• Does not support the subject land having LSIO applied to it, and have the following concerns: o The property has been flooded four times between June-November 2021 due to drainage and applying Overlays doesn't fix this. o The LSIO will impact the ability to sell or rent the property, and insurance premiums will increase. o Drainage maintenance is lacking and has resulted in the flooding at the subject site.	The Peer Review Report found that the Glengarry Eaglehawk Creek Flood Study assessed flows that related to riverine flooding not stormwater flows. The property is proposed to be retained in the LSIO. Drainage assets are inspected at the frequencies identified in the Road Asset Management Plan or ad hoc in response to community requests as occurred near this property. The impacts from this event reveal that there is no provision of overland flow paths which cater for flows in excess of the piped drainage network or as a redundancy to that network. However, following the impact of these events Council has undertaken a flood mitigation study to provide increased	**NO**	4 April 2022

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
			○ Development along Traralgon-Maffra Road has affected drainage and caused flooding on the subject site. ○ The first flood event on the subject site in June 2021 was due to 1% AEP flood event. ○ Council only looks at drainage when there is a major problem.	protection to housing from flooding that has been experienced in the catchment. These mitigations will be reviewed for implementation in the 2022-2023 financial year as a high priority. The level of drainage service provided to this property is in accordance with the applicable requirements at the time of its initial lot creation. To update the legacy drainage infrastructure to the current standards which, if feasible, will likely require significant capital funds and may be subject to a Special Charge Scheme. New developments are subject to modern requirements that include a stormwater strategy in which stormwater flows from the new lots are attenuated within the development so that outflows match the pre-development peak flows. This is to ensure there are no downstream impacts. Insurance premiums are not a relevant town planning consideration. However, the flood studies have been public documents since 2015/ 2016. Insurers assess flood risk based on this information and in conjunction with their own investigations. It is recommended that the submitter contacts their insurance to enquire how this process is conducted. Land is still developable within a LSIO, subject to a planning permit and referral to WGCMA to ensure design and development addresses flood risk. The flood modelling should account for pipe		

Sub No.	Name / Organisation	Support / Objection	Summary of Issues	Planning Comment	Changes to Amendment Required? Yes / No	Date submission received
				capacity; however, maintenance activities would not affect the expected capacity or conveyance of a pipe or swale drain.		
65B		Withdrawn	• Withdraws submission	Noted	NA	15 December 2023
66	Civil Aviation and Safety Authority	Support	CASA has no objection to the proposed amendment.	No change is required to the amendment as a result of the submission.	NO	5 April 2022
67	[redacted]	Objection	Extent of LSIO should be increased based on video evidence of previous flood events.	A Morwell River Flood Study using detailed flood modelling will need to be completed prior to any increase in flood overlays. This is currently outside the scope of the amendment.	NO	10 January 2023

LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS UPDATE)

Post Exhibition Changes Table

Post-Exhibition Changes after First Exhibition – (3 February 2024 – 7 March 2024)			
ITEM	**WHAT IS THE CHANGE?**	**WHAT IS THE REASON FOR THE CHANGE?**	**RELATED SUBMISSION**
Map			
Amend Map 56LSIO-FO	Removed Gwalia Street pocket of flooding	The Traralgon Flood Study did not identify this pocket in the proposed LSIO-FO mapping.	32, 50
Amend Map 49LSIO-FO; Delete Map 51LSIO-FO; Delete Map 55LSIO-FO; Amend Map 56LSIO-FO; Delete Map 57LSIO-FO; Amend Map 60LSIO-FO; Amend Map 61LSIO-FO; Delete Map 62LSIO-FO;	Removed stormwater pockets of flooding in Traralgon where the flooding pockets are isolated from the Traralgon Creek.	The Traralgon Flood Study did not identify these pockets in the proposed LSIO-FO mapping. In addition, an Urban Flood Study is being undertaken by Latrobe City Council and will provide a more comprehensive look at areas that may be subject to stormwater flooding. A future planning scheme amendment may implement the findings of this Amendment.	5, 7, 12, 19, 30, 31, 34, 36, 39, part 41, 42, 45, 46, 51, 57, 60,
Delete Map 26LSIO-FO, Map 32LSIO-FO, Map 67LSIO-FO, Map 68LSIO-FO, Map 94LSIO-FO, Map 100LSIO-FO Amend Map 21LSIO-FO, Map 64LSIO-FO, Map 65LSIO-FO, Map 92LSIO-FO, Map 93LSIO-FO	Amend maps to remove areas of mapping that did not have a supporting finalised flood study.	There were 19 flood studies identified that informed the mapping, it was found that only 9 of those were finalised and able to be included in the re-Exhibition of the Amendment. As a result, the maps were amended to remove the areas that did not have a supporting flood study. The areas removed include: • Floodplain Mapping for Unnamed Reach South of Contour Drain (Moe) • Floodplain Mapping for Unnamed Reach South-East of Contour Drain • Narracan Creek at Coalville Road (Flood modelling and mapping undertaken to support a development assessment) • Bennetts Creek from Mackeys Road to Monash Way and Eel Hole Creek to Hazelwood Cooling Pond (Flood modelling and mapping undertaken for Hazelwood Dam Break & Consequence Assessment with documentation unable to be provided for privacy reasons) • Two unnamed watercourses crossing Princes Highway west of Flynn (Flood modelling and mapping undertaken to support Princes Fwy upgrade)	4
Amend Map 37LSIO-FO; Map 21LSIO-FO, Map 22LSIO-FO, Map 23LSIO-FO, Map 24LSIO-FO, Map 25LSIO-FO, Map 38LSIO-FO, Map 41LSIO-FO;	Updated Latrobe River Flood mapped area to include a Climate Change Scenario.	The *Planning and Environment Act 1987* requires Climate Change to be considered. The *Latrobe River Flood Study 2015* has the mapping layer on Climate Change available to consider and as such, this is considered the 'best available information'. No other flood studies had this information available.	NA

LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS UPDATE)

Post Exhibition Changes Table

Post-Exhibition Changes after First Exhibition – (3 February 2024 – 7 March 2024)			
ITEM	**WHAT IS THE CHANGE?**	**WHAT IS THE REASON FOR THE CHANGE?**	**RELATED SUBMISSION**
Map 42LSIO-FO; Map 43LSIO-FO; Map 44LSIO-FO; Map 47LSIO-FO; Map 48LSIO-FO; Map 49LSIO-FO; Map 50LSIO-FO; Map 63LSIO-FO; Map 64LSIO-FO; Map 65LSIO-FO.			
Amend Map 71LSIO-FO; Amend Map 76LSIO-FO;	Amend Morwell Northwest to reflect new drainage channel that is currently being developed.	The extent of the overlays has been updated to match the Morwell North-West DCP area update the overlays to represent developed conditions	53
-	Included Silcocks Road as a reference document	Only final documents were to be included in re-exhibition. WGCMA provided the document after the Peer review was completed. As it met the criteria for already being mapped in the first exhibition and was a final document, it was included in the re-exhibition package. This was originally contributed as Source Unknown in the Peer review but was provided at a later date.	NA
Amend Map 48LSIO-FO; Map 48LSIO-FO	Overlay removed from back of properties along Eton Avenue, Earl Court and Independent Way.	Retaining wall along the floodplain border has been built that raises the properties above the floodplain.	12, 38, 48, 64
Amend Map 63LSIO-FO	Amend mapping to border residential zoned area	Reflects extent agreed to as a part of the Baldwin Road rezoning in Amendment C138latr.	

Post-Exhibition Changes after Second Exhibition (29 February 2024 – 5 April 2024)			
ITEM	**WHAT IS THE CHANGE?**	**WHAT IS THE REASON FOR THE CHANGE?**	**RELATED SUBMISSION**
Map			
Amend Map 56LSIO-FO	Amended flood overlays at 2 Mapleson Street, Traralgon	The overlay maps provided are based on the 2016 Traralgon Creek flood study. Since that time additional fill on the land to above the 1% AEP line as such, the extent of the overlay has been adjusted based on lidar data. Administrative correction.	-
Amend Map 56LSIO-FO	Delete flood overlays at 9-11, 9-11A, 13, 17, and 19 Princes Drive, Traralgon	The overlays were reviewed after consultation and the building at 9-11 Princes Drive was found to a have a tilt panel design that is unlikely to allow infiltration into the building. The other properties have had FO clipped to boundary as it is a small amount of overlay(s) within property	-

LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS UPDATE)

Post Exhibition Changes Table

Post-Exhibition Changes after Second Exhibition (29 February 2024 – 5 April 2024)			
ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
		boundary. Only small area that doesn't provide a useful permit trigger. Property has been developed and filled already.	
Amend Map 18LSIO-FO	Amend flood overlays at 2, 36, 38-40, 42, 44, 46, 48, 49-51, 53-55, and 70 Kyne Street, Glengarry	the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. Reduction in LSIO due to model update and removal of LSIO over a pool and shed at 36 Kyne Street.	11
Amend Map 15LSIO-FO 16LSIO-FO, and 18LSIO-FO	Amend flood overlays on 85, 90, 125, 127, 135, and 160 Rifle Range Road	WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. For these properties the LSIO will be reduced. For 90 Rifle Range Road there will be a large reduction in overlay extents.	56
Amend Map 63LSIO-FO and 64LSIO-FO	Amend flood overlays on 20 and 70 Williams Road, Glengarry For these properties the LSIO extent will be reduced.	WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry	
Amend Map 48LSIO-FO; Map 49LSIO-FO	Remove flood overlays from properties bordering the Latrobe River Floodplain in the north of Traralgon including 40, 42, 44, 46, 48, 50, 52, 54, and 56 Graduate Place, Traralgon; 46, 48, 50, 52, 54, 56, and 58 Independent Way, Traralgon and 71, 73, 75, 77, 2/79, 81, 83, 85, 87, 89, 91, 95, and 97 Riverslea Boulevard, Traralgon.	Administrative correction. The property cadastre data has been updated since the overlays were mapped which has meant that the overlays are showing on the properties to the north of Traralgon when they should align with the back fences	-
Amend Map 18LSIO-FO	Remove flood overlays from 7-9, 10-11, 12-15, 16-18, 19-21, 22-24, and 25-27 Bermingham Close, Glengarry 13 Rhodes Court, Glengarry	Development has occurred since the flood study was undertaken which was reviewed and the overlays adjusted. In addition, as a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. Overlay will be removed from this property.	33
Amend Map 18LSIO-FO and 63LSIO-FO	Amend flood overlays at 10, 110, 45, 50, and 70 Black Tank Road, Glengarry	the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results	28

LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS UPDATE)

Post Exhibition Changes Table

Post-Exhibition Changes after Second Exhibition (29 February 2024 – 5 April 2024)			
ITEM	**WHAT IS THE CHANGE?**	**WHAT IS THE REASON FOR THE CHANGE?**	**RELATED SUBMISSION**
		show a reduction across the western side of Glengarry. Reduction of FO and LSIO	
Amend Map 19LSIO-FO	3, 20, 22, 24, and 26 Chatswood Close, Glengarry The Overlays will be removed from these properties.	Development has occurred since the flood study was undertaken and a large retaining wall built along the rear fenceline. It has been adjusted to reflect this. In addition, the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. Administrative Error	-
Amend Map 50LSIO-FO	Amend flood overlays at 1, 11, 13, 15A and 15B Paul Street, Traralgon and 1, 2, 18, 24, and 25 Le Grange, Traralgon	Reduce overlay based on lidar. The Land Subject to Inundation Overlay has been removed altogether. The FO remains the same.	76
Amend Map 49LSIO-FO	Remove flood overlays from 9, 10, 11, 12, 13, 14, 15, 17, 19, and 22 Oxford Place, Traralgon Amend flood overlays on 9 Salisbury Crescent, Traralgon Remove flood overlays from 2, 6, 7 and 8A Waterford Court, Traralgon Remove flood overlays from 15, 16, 17 and 26-46 Bradman Boulevard, Traralgon Amend flood overlays at 49 Bradman Boulevard.	Remove the overlay for the properties and reduce the FO in the retarding basin on Bradman Boulevard as the properties have been filled since flood study. FO adjusted based on LIDAR. FO adjustment due to Oxford Place review. Only a small area that doesn't provide a useful permit trigger. LSIO clipped to boundary. Removed as it is only a small area that doesn't provide a useful permit trigger. LSIO and FO clipped to boundary. Some FO reduction on large basin lot due to Oxford Place review.	71, 72, 73, 74
Amend Map 18LSIO-FO	Remove flood overlays from: 1-5, 7-11, 8-12, 14-18, 19-23, 20-24, 26-30, 32-36, 64-70, Carey Drive, Glengarry 1-2, 3-4, 5, 6, and 7-9 Pratt Court, Glengarry. 1-3, 4-7, 8-9, 12-13, 14-15, 16-18, and 19-21 Cobham Court, Glengarry 8-14 King Road, Glengarry 1-3, 5-6, 7-8, and 11-14 Moorhouse Close, Glengarry RES1\LP149941	As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry.	8, 9, 15, 16, 25, 26, 29, 61

LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS UPDATE)

Post Exhibition Changes Table

Post-Exhibition Changes after Second Exhibition (29 February 2024 – 5 April 2024)			
ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Amend Map 18LSIO-FO	Remove flood overlays from 77, 79, 81 and 83 Main Street, Glengarry	WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlays will be removed from these properties.	-
Amend Map 17LSIO-FO and 19LSIO-FO	Amend flood overlays at Castleknock Drive, Glengarry	WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. Thin LSIO along southern part of Castleknock Drive removed.	-
Amend Map 19LSIO-FO and 64LSIO-FO	Amend flood overlays at 38 Bassetts Lane, Glengarry	WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. LSIO and FO reduction. Some FO converted to LSIO.	-
Amend Map 18LSIO-FO	Reduce flood overlay at 14 Cobham Court, Glengarry	As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry.	21
Amend Map 18LSIO-FO	Remove flood overlays at 1-5, 2-6, 8-14, 16-22, and 25-27 King Road, Glengarry	As a result of the submissions received from Glengarry residents the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlays will be removed from these properties.	23, 25
Amend Map 18LSIO-FO	Remove flood overlays at 4, 13-15, 16-18, 19-21, 22-24, 25-27 and 28 Hambrook Lane, Glengarry	As a result of the submissions received from Glengarry resident the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlays will be removed on this property.	58, 69

LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS UPDATE)

Post Exhibition Changes Table

Post-Exhibition Changes after Second Exhibition (29 February 2024 – 5 April 2024)			
ITEM	WHAT IS THE CHANGE?	WHAT IS THE REASON FOR THE CHANGE?	RELATED SUBMISSION
Amend Map 18LSIO-FO	Remove flood overlays at 10-14, 11, 13, 5, 7, and 9 Cairnbrook Road, Glengarry	The WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of glengarry. Complete removal of LSIO.	-
Amend Map 19LSIO-FO	Amend flood overlays at 100 Cairnbrook Road, Glengarry	The WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of glengarry. Removal of FO and reduction in LSIO.	-
Amend Map 18LSIO-FO	Remove flood overlays at 11, 12, and 13 Macdonald Court, Glengarry	As a result of the submissions received from Glengarry resident the WGCMA have undertaken a detailed review of the modelling and determined that the extents are possibly being overestimated in some areas due to concentrated flows in a certain area in the model. Further work has been undertaken that distributes the flows across the catchment and results show a reduction across the western side of Glengarry. The Overlays will be removed on this property.	-
Amend Map 49LSIO-FO	Remove flood overlays from 2 Anderson Street, Traralgon	Removed as it is only a small area that doesn't provide a useful permit trigger. WGCMA has recommended that the LSIO clipped to boundary.	-
Amend Map 50LSIO-FO	Remove flood overlays from 18 Central Park Avenue	Removed as it is only a small area that doesn't provide a useful permit trigger. WGCMA has recommended that the LSIO clipped to boundary.	-
Amend Map 50LSIO-FO	Remove flood overlays from 2/272 and 3/272 Franklin Street, Traralgon	Removed as it is only a small area that doesn't provide a useful permit trigger. WGCMA has recommended that the LSIO clipped to boundary.	-
Amend Map 50LSIO-FO	Remove flood overlays at 7, 8 and 9 Rothbury Place.	Only small areas that don't provide a useful permit trigger. LSIO and FO clipped to boundary for northern two properties. LSIO removed and FO retained for southern property. LSIO is only a small area that doesn't provide a useful permit trigger.	-
Amend Map 50LSIO-FO	Remove flood overlays at 1, 2, 3, 4, 5, and 6 Senade Court, Traralgon.	Only a small area that doesn't provide a useful permit trigger. WGCMA has recommended that the Overlay clipped to property boundary.	-
Amend Map 63LSIO-FO	Remove Overlay at 225 Marshalls Road, Traralgon	Only a small area that doesn't provide a useful permit trigger. WGCMA has recommended that the Overlay clipped to property boundary.	-
Amend Map 50LSIO-FO	Remove Overlay at 10 Mackillop Court, Traralgon	Only a small area that doesn't provide a useful permit trigger. Overlay clipped to property boundary.	-

LATROBE PLANNING SCHEME AMENDMENT C131 (FLOOD OVERLAYS UPDATE)

Post Exhibition Changes Table

Post-Exhibition Changes after Second Exhibition (29 February 2024 – 5 April 2024)			
ITEM	**WHAT IS THE CHANGE?**	**WHAT IS THE REASON FOR THE CHANGE?**	**RELATED SUBMISSION**
Amend Map 50LSIO-FO	Remove Overlay at 7 Macquarie Place, Traralgon	Only a small area that doesn't provide a useful permit trigger. Overlay clipped to property boundary.	-
Remove Map 93LSIO-FO	Map 93LSIO-FO will be removed from the Amendment so that no changes occur to that map.	The Explanatory Report and Instruction Sheet did not include reference to Map 93LSIO-FO in error, and as such it has been removed from the Amendment as it was not technically exhibited.	77, part 41
Amendment Documents			
Amend Explanatory Report	Remove reference to Monash Way flood study and Map 93. Add amendment to the Schedule to the Land Subject to Inundation Overlay	The Explanatory Report and Instruction Sheet did not include reference to Map 93LSIO-FO in error, and as such it has been removed from the Amendment as it was not technically exhibited. Correct Clause reference in Application Requirements of the Schedule, so it has been added to the Explanatory report	77
Amend Instruction Sheet	Add amendment to the Schedule to the Land Subject to Inundation Overlay (Clause 44.04)	Correct Clause reference in Application Requirements of the Schedule, so it has been added to the Instruction Sheet. Technical correction.	
Clause			
Amend Clause 11.01-1L Glengarry	Town Structure Plan updated	Reflects the new mapping extent with post-exhibition changes	
Amend Clause 02.04	Amend the Strategic Framework Plan	Reflects the new mapping extent with post-exhibition changes	

Planning and Environment Act 1987

Latrobe Planning Scheme

Amendment C131latr

Explanatory Report

Overview

This amendment updates the flood overlays in the municipality by implementing the following reports:

- Glengarry Eaglehawk Floodplain Mapping (September 2021)
- Morwell North West Drainage Report (April 2016)
- Morwell North West DCP drainage WR04 (2017)
- Rintouls Creek Study (December 2015)
- Tyers River (December 2015)
- Upper Traralgon Creek (June 2021)
- Traralgon Flood Study (June 2016)
- Latrobe River Flood Study (March 2015)

It does this by amending the Floodway Overlay and Land Subject to Inundation Overlay. It deletes the Floodway Overlay from 25 properties, deletes the Land Subject to Inundation Overlay from 296 properties. In addition, it introduces the Floodway Overlay to 652 properties and Land Subject to Inundation Overlay to 879 properties, several properties have also had boundaries of the two overlays amended. In total, approximately 800 properties are affected in total.

The Amendment was exhibited from 3 February 2022 to 7 March 2022 with a total of 67 submissions received. In considering the submissions it was found that 17 background documents were not provided for exhibition to match the identified changes to the mapping. In response to the submissions, it was then determined that the best approach was to have the background documents and mapping data peer reviewed.

The peer review considered whether the Special Building Overlay (SBO) should be applied to areas within the township instead of the exhibited Land Subject to Inundation Overlay. It was determined that these areas will be removed from the Amendment as an urban flood study is currently being undertaken by Latrobe City Council for Moe-Newborough, Morwell, Traralgon and Churchill townships. In addition, it reviewed the appropriateness of the background studies and whether the related flood mapping should be included in the amendment. The recommendations

from the Peer Review are that only six additional flood studies were re-exhibited. Areas that were undocumented or where background documents were not finalised were removed from the amendment.

The Peer Review also recommended the inclusion of the climate change scenario for the Latrobe River as this was the 'best available information'.

Where you may inspect this amendment

The amendment can be inspected free of charge at Latrobe City Council's website at www.latrobe.vic.gov.au/C131

And/or

The amendment is available for public inspection, free of charge, during office hours at the following places:

- 141 Commercial Road, Morwell Vic 3840
- 34-38 Kay Street, Traralgon Vic 3844
- 9-11 Philip Parade, Churchill Vic 3842 and
- 1-29 George Street, Moe Vic 3825

The amendment can also be inspected free of charge at the Department of Transport and Planning website at http://www.planning.vic.gov.au/public-inspection or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by 5 April 2024

A submission must be sent to:

Mail

Latrobe City Council

Attention: Strategic Planning Department

PO Box 264

Morwell VIC 3840

Online

www.latrobe.vic.gov.au/C131 – Attention: Strategic Planning Department.

Email

latrobe@latrobe.vic.gov.au – Attention: Strategic Planning

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: Week of 10 June 2024
- Panel hearing: Week of 8 July 2024

Details of the amendment

Who is the planning authority?

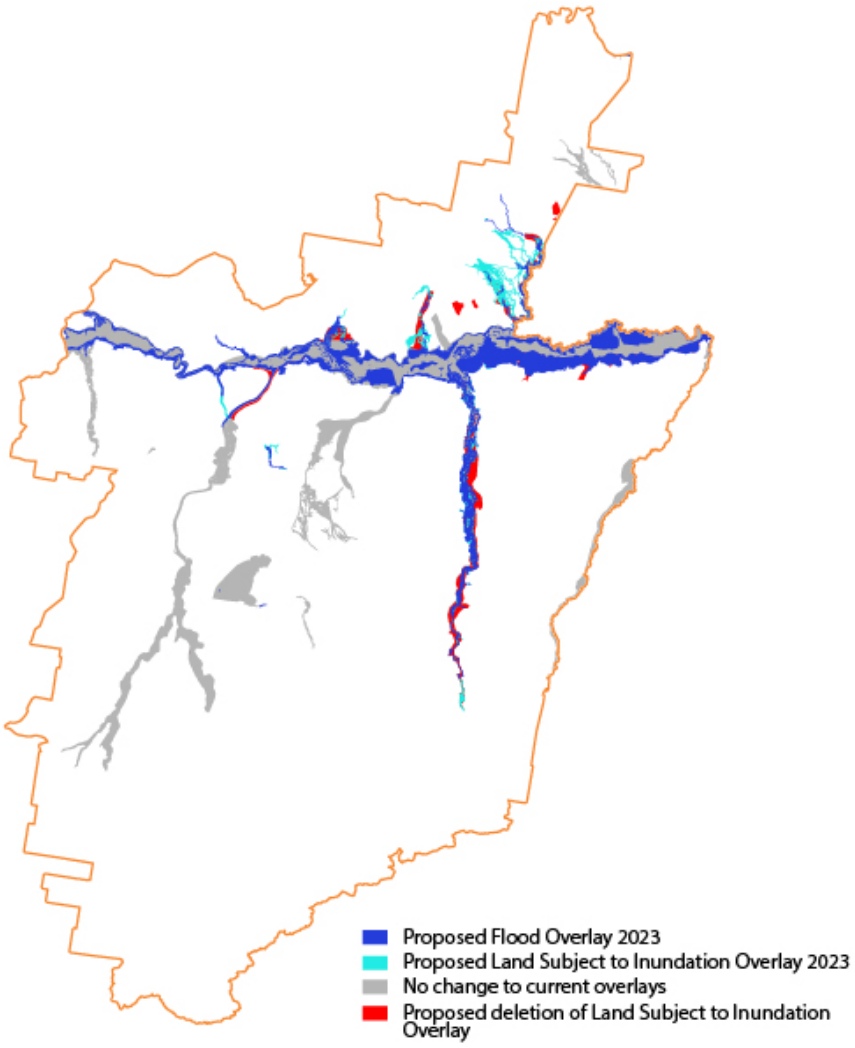
This amendment has been prepared by the Latrobe City Council, which is the planning authority for this amendment.

The amendment has been made at the request of West Gippsland Catchment Management Authority (WGCMA).

Land affected by the amendment

The amendment applies to land across the municipality, particularly around the Latrobe River, Traralgon Creek, Eaglehawk Creek, Rintouls Creek, Tyers River and Morwell North West.

A mapping reference table is attached at Attachment 1 to this Explanatory Report.



What the amendment does

The amendment amends flood controls based on modelling from:

- Glengarry Eaglehawk Floodplain Mapping (September 2021)
- Morwell North West Drainage Report (April 2016)
- Morwell North West DCP drainage WR04 (2017)
- Rintouls Creek Study (December 2015)
- Tyers River (December 2015)
- Upper Traralgon Creek (June 2021)

- Traralgon Flood Study (June 2016)
- Latrobe River Flood Study (March 2015)

The amendment affects approximately 4998.87ha (Vic Map data) of land within the Latrobe municipality which is within proximity of the Latrobe River, Traralgon Creek, Tyers River, Rintouls Creek, Eaglehawk Creek, and an unnamed tributary around Morwell North West that is considered to be at risk of flooding. These properties will either have existing flood overlays deleted or amended, or new flooding overlays applied.

In addition, subsequent changes are made to the Strategic Framework Plan and the Glengarry Town Structure Plan to reflect the updated mapping extent.

The Land Subject to Inundation Overlay schedule is also being amended to fix an administrative error.

The amendment:

The Planning Scheme Maps are amended by a total of 82 attached maps sheets.

1. Amend Planning Scheme Map Nos 5LSIO-FO, 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 69LSIO-FO, 70LSIO-FO, 82LSIO-FO, 83LSIO-FO, 86LSIO-FO, 91LSIO-FO, 92LSIO-FO, 101LSIO-FO, 102LSIO-FO, 114LSIO-FO.

2. Insert new Planning Scheme Map Nos 4LSIO-FO, 40LSIO-FO, 71LSIO-FO, and 76LSIO-FO.

3. Delete Planning Scheme Map Nos 26LSIO-FO, and 52LSIO-FO.

The Planning Scheme Ordinance is amended as follows:

4. In **Purpose and Vision** – replace Clause 02.04 with a new Clause 02.04 in the form of the attached document.

5. In **Planning Policy Framework**- replace Clause 11.01-1 L with a new Clause 11.01-1 L in the form of the attached document.

6. In **Overlays** – Clause 44.04, replace Schedule 1 with a new Schedule 1 in the form of the attached document.

7. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.

Strategic assessment of the amendment

[Refer to PPN46:Strategic assessment guidelines for preparing and evaluating planning scheme amendments].

Why is the amendment required?

Eight flood studies were undertaken between 2015 and 2021 (with two being finalised in 2023) with each recommending that the Latrobe Planning Scheme be amended to introduce updated mapping of the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) to reflect the modelling undertaken.

The West Gippsland Catchment Management Authority (WGCMA), in collaboration with the Latrobe City Council and the Baw Baw and Wellington Shire Councils, commissioned a flood study for the floodplains of the Latrobe River from Moe to Lake Wellington and for the Moe River (a major tributary of the Latrobe) from Yarragon to Moe. The *Latrobe River Flood Study* was completed in 2015 by Cardno consultants.

The West Gippsland Catchment Management Authority (WGCMA) Commissioned Water Technology consultants to undertake the *Traralgon Flood Study* which was completed in 2016. The study included detailed hydrological and hydraulic modelling of Traralgon Creek and the Latrobe River, flood mapping of Traralgon, recommendations for flood mitigation works, and a review of planning controls. The study prepared a revised draft Floodway Overlay (FO) and draft Land Subject to Inundation Overlay (LSIO) to reflect the updated flood modelling and mapping produced during the study.

In addition, Glengarry Eaglehawk Floodplain Mapping (September 2021), Rintouls Creek Study (December 2015), Tyers River (December 2015), Upper Traralgon Creek (June 2021) were undertaken by WGCMA.

The Glengarry Eaglehawk Floodplain Mapping was commissioned from the hills north of Glengarry to the Latrobe River, Rintouls Creek and unnamed tributary study was from Fitzgibbons Road to Latrobe River, the Tyers River Study was from upstream of Brown Coalmine Road to the Latrobe River and the Upper Traralgon Creek study was undertaken from upstream of Koornalla to downstream of Mattingley Hill Road.

A further two reports were from development applications including the Morwell North West Drainage Report (April 2016), and Morwell North West DCP drainage WR04 (2017). The Morwell Northwest reports covered the areas generally bounded by Scarborough Crescent and Maryvale recreation Reserve, English Street, Gordon Street, Latrobe Road and Leonard Street in Morwell.

The *West Gippsland Floodplain Management Strategy* (2018-2027), prepared by the West Gippsland Catchment Management Authority (WGCMA), recommended that the Latrobe Planning Scheme be updated to reflect the best available flood mapping.

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. 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.

The revisions to the Strategic Framework Plan at Clause 02.04, and the Glengarry Town Structure Plan at Clause 11.01-1L, are to reflect the updated flood mapping contained in the Planning Scheme Maps.

The Schedule to the Land Subject to Inundation Overlay at Clause 44.04 is being amended to correct an anomaly where the wrong parent clause is referenced.

How does the amendment implement the objectives of planning in Victoria?

The Amendment meets the following objectives of Planning in Victoria as set out in section 4(1) of the *Planning and Environment Act 1987*:

(a) to provide for the fair, orderly, economic and sustainable use, and development of land;

(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;

(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria; and

(f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).

The amendment will positively implement the objectives of planning in Victoria by providing for accurately applied planning overlay controls that ensure that water management issues are considered during the development process.

How does the amendment address any environmental, social and economic effects?

Environmental Effects

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 hazards. Implementation of revised flood mapping will ensure that forward planning will direct new development to low-risk locations and natural hazards and environmental risks avoided. The amendment will ensure that new development in flood affected areas requires a planning permit to ensure that flooding risks are properly considered as part of the planning process which will include seeking the comments of the floodplain management authority on development applications.

Social Effects

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.

Economic Effects

Flooding can have significant economic impacts on municipalities and the community because 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.

Does the amendment address relevant bushfire risk?

The Amendment meets bushfire policy in Clause 13.02 of the Planning Scheme because the amendment will not create additional bushfire risk as it is proposing to apply land management overlays (LSIO and FO) which are to address flooding risks, and no rezoning is proposed to occur.

Views from the relevant fire authority

The views of the CFA were sought and obtained on this amendment and considered during the exhibition stage. The CFA has raised concerns about waterway management and the affect that the relevant setback distances will have on development.

Further consultation was held with the CFA on 29 January 2024 and they have said that they have no objection to the Amendment.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment complies with:

- *Minister Direction No. 11 (Strategic Assessment of Amendments)* under section 12 of the *Planning and Environment Act 1987*. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.
- *The Ministerial Direction (The Form and Content of Planning Schemes)* as required under section 7(5) of the *Planning and Environment Act 1987*. The amendment has been written in plain English.
- Ministerial Direction No. 15 - The Planning Scheme Amendment Process.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment directly supports the following Clauses of the Planning Policy Framework:

Clause 11.02-1S (Supply of Urban Land)

- This clause has the objective to ensure sufficient land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.
- The relevant strategies of this clause identify that planning for urban growth should consider the limits of land capability, natural hazards, and environmental quality.
- The amendment proposes to revise flood mapping to ensure natural hazards can be considered in forward planning based on the most current information.

Clause 13.01-1S (Natural Hazards and climate change)

- This policy has the objective to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.
- The relevant strategies of this clause include to:
  - Consider the risks associated with climate change in planning and management decision making processes.
  - Identify at risk areas using the best available data and climate change science.
  - Direct population growth and development to low-risk locations.

Clause 13.03-1S (Floodplain management)

- This clause has the objective to assist the protection of life, property and community infrastructure from flood hazard, the natural flood carrying capacity of rivers, streams and floodway's, the flood storage function of floodplains and waterways, and floodplain areas of environmental significance or of importance to river health.
- The relevant strategies of this clause are to:
  - Identify land affected by flooding, including land inundated by the 1 in 100 year flood event or as determined by the floodplain management authority in planning schemes.
  - Avoid intensifying the impact of flooding through inappropriately located use and development.
- The Amendment supports these strategies by applying the most current data available for flooding based on recent flood studies completed for Latrobe. The revised data provides an accurate reflection of the floodplains, including the 1 in 100 year event, and the flood storages and capacities required.

Clause 14.02-2S (Water quality)

- This clause has the objective to protect water quality. The strategies to achieve this objective include discouraging incompatible land use activities in areas subject to flooding where the land cannot be sustainably managed to ensure minimum impact on downstream water quality or flow volumes.

The amendment supports the objective and strategies of this clause by setting out revised mapping for the floodplain areas, based on most recent flood data to allow for forward planning and management of new development. In addition to increasing Climate Change is expected to increase the intensity and frequency of storms across the Gippsland Region, as well as change catchment moisture and increase areas burnt by bushfires.

The WGCMA is aware of these catchment processes and the risk Climate Change poses to flooding across our region. The Latrobe River Flood Study has included Climate Change sensitivity testing to understand what the likely impact will be to our communities. These results show that our waterways are not particularly sensitive to Climate Change impacts other than those areas exposed to sea level rise changes.

Further to this the WGCMA has been working with the Department of Transport and Planning (DTP) to develop clear guidance for CMAs across Victoria so that the inclusion of non-sea level rise Climate Change processes in flood study outputs is clear, consistent and transparent. It is likely that this work will be completed within the next few years and it follows that any subsequent update to the Flood Overlays will include our better understanding of the changes to these complex catchment processes brought on by Climate Change

The planning scheme contains detailed Structure Plans for settlements under Clause 11.01-1L *Latrobe settlement patterns* to complement policy for Settlement at the State and regional level which seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. The structure plans for Glengarry and Toongabbie show the extent of flooding as they have an affect on policy around future development. The Toongabbie Structure Plan included the latest flood overlays through Amendment C126 to the Latrobe Planning Scheme, as such, the Glengarry Town Structure Plan is proposed to be updated to reflect the proposed overlay changes.

It is policy at Clause 11.01-1R *Settlement – Gippsland* to, amongst other matters, support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed. Flooding is one such environmental risk.

It is policy at 13.03-1L *Floodplain management* that development be discouraged in residential areas within the 1% Annual Exceedance Probability (AEP) flood extent or within 30m of existing waterways. Similarly, raised earthworks, and subdivision, other than realignment or consolidation, is similarly discouraged within the mapped extent of a 1% AEP flood. Both overlays provide the means to control new development.

How does the amendment support or implement the Municipal Planning Strategy?

Flooding is a natural hazard that can severely disrupt communities and may cause extensive damage, stock loss and, in extreme cases, loss of life.

The Municipal Planning Strategy supports the amendment as it applies the most-up-to date data in relation to flooding including climate change scenarios for the Latrobe River and Eaglehawk Creek which enables future rezonings to consider climate change scenarios and flood risk in the extent of any rezonings minimising the impact that floods may have on new development. The following strategic directions support the amendment:

- Planning for the environment and landscape values seeks to balance development with the protection of the natural environment.
- Planning for climate change seeks to support use and development that can adapt to the impacts of climate change and seeks to minimise its negative impacts.
- Planning for flooding seeks to deduce the damage and costs associated with flood events.

It is not anticipated to have a significant effect on other areas of the Municipal Planning Strategy other than in Glengarry which will need to review the feasibility of the future low density residential development due to the extent of the flooding.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment will amend the existing Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) maps that form part of the Latrobe Planning Scheme to ensure that they are consistent with current information on flooding in the municipality. The revisions to the overlays have been determined by the recommendations of flood studies which undertook sensitivity testing and flood simulations to identify the extent of potential flooding from the rivers through computer-based models of the flood plains to generate detailed flood maps for a range of flood events.

The amendment is consistent with *Planning Practice Note 12: Applying the Flood Provisions in Planning Schemes*, consideration was given to the level of flood risk, and depth and velocity of flood waters in choosing planning scheme tools. The West Gippsland Catchment Management Authority supports the application of the Floodway Overlay and the Land Subject to Inundation Overlay.

The Floodway Overlay (FO) applies to mainstream flooding areas of the floodplain, being the areas, which convey active flood flows or store floodwater, in both rural and urban areas. The Floodway land is generally the higher hazard portion of the floodplain and buildings and works may be at significant risk or could impact the behaviour of floodwaters and therefore need to be controlled.

The Land Subject to Inundation Overlay (LSIO) represents the fringe of the floodplain

where the flood depths and velocities are lower. These areas have a lower risk to human life and property than the Floodway Overlay (FO).

A peer review was undertaken to determine whether the Special Building Overlay (SBO) should be applied to areas within the township instead of the exhibited Land Subject to Inundation Overlay. It was determined that these areas will be removed from the Amendment as an urban flood study is currently being undertaken by Latrobe City Council for Moe-Newborough, Morwell, Traralgon and Churchill.

Any undocumented areas that apply new mapping have been removed from the amendment unless they are minor corrections.

How does the amendment address the views of any relevant agency?

Exhibition stage:

The amendment has been prepared in consultation with the West Gippsland Catchment Management Authority (WGCMA) being the relevant floodplain management authority and recommending referral authority for applications within the overlays.

In addition, during the first exhibition period, held between 3 February 2022 and 7 March 2022, the following agencies made supporting submissions:

- Department of Transport
- Department of Environment, Land Water and Planning (now Department of Environment, Energy, and Climate Change Adaptation)
- CFA
- APA Gas
- Civil Aviation Safety Authority

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with the objectives and decision-making principles in the Transport Integration Act 2010. Specifically:

- It promotes environmental sustainability by preparing for and adapting to challenges presented by climate change such as increased flood risk.
- It increases efficiency, coordination and reliability by having up to date information about flooding when planning for new roads making them more reliable and minimising any inconvenience caused by disruptions to the road system.

This amendment is unlikely to have a significant impact on the transport system as it is not significantly increasing the capacity for development, and the road network has existing capacity.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The proposed amendment is expected to result in an increase in the need for planning permits, particularly where new Flood Overlays have been applied. However, these overlays are supported by existing local policies in the planning scheme to guide decision making, and permit exemptions.

Attachment 1 – Mapping reference table

Locality	Mapping reference	
	Insert LSIO-FO	**Delete LSIO-FO**
Callignee	Latrobe C131latr lsio-foMap114 Exhibition	Latrobe C131latr d-lsio-foMap114 Exhibition
Flynn	Latrobe C131latr lsio-foMap64 Exhibition Latrobe C131latr lsio-foMap65 Exhibition Latrobe C131latr lsio-foMap66 Exhibition	Latrobe C131latr d-lsio-foMap64 Exhibition Latrobe C131latr d-lsio-foMap65 Exhibition Latrobe C131latr d-lsio-foMap66 Exhibition
Glengarry	Latrobe C131latr lsio-foMap15 Exhibition Latrobe C131latr lsio-foMap16 Exhibition Latrobe C131latr lsio-foMap17 Exhibition Latrobe C131latr lsio-foMap18 Exhibition Latrobe C131latr lsio-foMap19 Exhibition Latrobe C131latr lsio-foMap20 Exhibition Latrobe C131latr lsio-foMap63 Exhibition	Latrobe C131latr d-lsio-foMap15 Exhibition Latrobe C131latr d-lsio-foMap16 Exhibition Latrobe C131latr d-lsio-foMap17 Exhibition Latrobe C131latr d-lsio-foMap18 Exhibition Latrobe C131latr d-lsio-foMap19 Exhibition Latrobe C131latr d-lsio-foMap20 Exhibition Latrobe C131latr d-lsio-foMap63 Exhibition Latrobe C131latr d-lsio-foMap64 Exhibition
Glengarry North	Latrobe C131latr lsio-foMap04 Exhibition	Latrobe C131latr d-lsio-foMap05 Exhibition Latrobe C131latr d-lsio-foMap20 Exhibition
Glengarry West	Latrobe C131latr lsio-foMap15 Exhibition	Latrobe C131latr d-lsio-foMap15 Exhibition

	Latrobe C131latr lsio-foMap44 Exhibition Latrobe C131latr lsio-foMap63 Exhibition	Latrobe C131latr d-lsio-foMap44 Exhibition Latrobe C131latr d-lsio-foMap63 Exhibition
Hazelwood	Latrobe C131latr lsio-foMap92 Exhibition Latrobe C131latr lsio-foMap91 Exhibition	
Hazelwood North	Latrobe C131latr lsio-foMap83 Exhibition	Latrobe C131latr d-lsio-foMap92 Exhibition
Koornalla	Latrobe C131latr lsio-foMap101 Exhibition Latrobe C131latr lsio-foMap102 Exhibition Latrobe C131latr lsio-foMap114 Exhibition	Latrobe C131latr d-lsio-foMap101 Exhibition Latrobe C131latr d-lsio-foMap114 Exhibition
Loy Yang	Latrobe C131latr lsio-foMap86 Exhibition	Latrobe C131latr d-lsio-foMap86 Exhibition
Maryvale	Latrobe C131latr lsio-foMap43 Exhibition Latrobe C131latr lsio-foMap44 Exhibition	Latrobe C131latr d-lsio-foMap69 Exhibition Latrobe C131latr d-lsio-foMap38 Exhibition Latrobe C131latr d-lsio-foMap43 Exhibition Latrobe C131latr d-lsio-foMap44 Exhibition
Moe		Latrobe C131latr d-lsio-foMap21 Exhibition Latrobe C131latr d-lsio-foMap22 Exhibition Latrobe C131latr d-lsio-foMap23 Exhibition Latrobe C131latr d-lsio-foMap26 Exhibition

Morwell	Latrobe C131latr lsio-foMap70 Exhibition Latrobe C131latr lsio-foMap71 Exhibition Latrobe C131latr lsio-foMap76 Exhibition Latrobe C131latr lsio-foMap82 Exhibition	
Newborough	Latrobe C131latr lsio-foMap23 Exhibition Latrobe C131latr lsio-foMap24 Exhibition Latrobe C131latr lsio-foMap25 Exhibition Latrobe C131latr lsio-foMap37 Exhibition	Latrobe C131latr d-lsio-foMap23 Exhibition Latrobe C131latr d-lsio-foMap25 Exhibition Latrobe C131latr d-lsio-foMap37 Exhibition
Tanjil South	Latrobe C131latr lsio-foMap11 Exhibition Latrobe C131latr lsio-foMap37 Exhibition	Latrobe C131latr d-lsio-foMap11 Exhibition Latrobe C131latr d-lsio-foMap21 Exhibition Latrobe C131latr d-lsio-foMap37 Exhibition
Traralgon	Latrobe C131latr lsio-foMap44 Exhibition Latrobe C131latr lsio-foMap47 Exhibition Latrobe C131latr lsio-foMap49 Exhibition Latrobe C131latr lsio-foMap50 Exhibition Latrobe C131latr lsio-foMap56 Exhibition Latrobe C131latr lsio-foMap60 Exhibition	Latrobe C131latr d-lsio-foMap44 Exhibition Latrobe C131latr d-lsio-foMap47 Exhibition Latrobe C131latr d-lsio-foMap48 Exhibition Latrobe C131latr d-lsio-foMap49 Exhibition Latrobe C131latr d-lsio-foMap50 Exhibition Latrobe C131latr d-lsio-foMap56 Exhibition

	Latrobe C131latr lsio-foMap61 Exhibition Latrobe C131latr lsio-foMap63 Exhibition Latrobe C131latr lsio-foMap86 Exhibition	Latrobe C131latr d-lsio-foMap60 Exhibition Latrobe C131latr d-lsio-foMap61 Exhibition Latrobe C131latr d-lsio-foMap63 Exhibition Latrobe C131latr d-lsio-foMap86 Exhibition
Traralgon East	Latrobe C131latr lsio-foMap64 Exhibition	Latrobe C131latr d-lsio-foMap52 Exhibition Latrobe C131latr d-lsio-foMap64 Exhibition
Traralgon South	Latrobe C131latr lsio-foMap86 Exhibition Latrobe C131latr lsio-foMap101 Exhibition Latrobe C131latr lsio-foMap102 Exhibition	Latrobe C131latr d-lsio-foMap86 Exhibition Latrobe C131latr d-lsio-foMap101 Exhibition Latrobe C131latr d-lsio-foMap102 Exhibition
Tyers	Latrobe C131latr lsio-foMap14 Exhibition Latrobe C131latr lsio-foMap15 Exhibition Latrobe C131latr lsio-foMap43 Exhibition Latrobe C131latr lsio-foMap44 Exhibition	Latrobe C131latr d-lsio-foMap14 Exhibition Latrobe C131latr d-lsio-foMap15 Exhibition Latrobe C131latr d-lsio-foMap43 Exhibition Latrobe C131latr d-lsio-foMap44 Exhibition
Yallourn	Latrobe C131latr lsio-foMap37 Exhibition Latrobe C131latr lsio-foMap38 Exhibition Latrobe C131latr lsio-foMap41 Exhibition Latrobe C131latr lsio-foMap43 Exhibition	Latrobe C131latr d-lsio-foMap37 Exhibition Latrobe C131latr d-lsio-foMap38 Exhibition Latrobe C131latr d-lsio-foMap41 Exhibition Latrobe C131latr d-lsio-foMap69 Exhibition

	Latrobe C131latr lsio-foMap69 Exhibition	
Yallourn North	Latrobe C131latr lsio-foMap37 Exhibition Latrobe C131latr lsio-foMap38 Exhibition Latrobe C131latr lsio-foMap40 Exhibition Latrobe C131latr lsio-foMap41 Exhibition Latrobe C131latr lsio-foMap43 Exhibition	Latrobe C131latr d-lsio-foMap37 Exhibition Latrobe C131latr d-lsio-foMap38 Exhibition Latrobe C131latr d-lsio-foMap41 Exhibition Latrobe C131latr d-lsio-foMap42 Exhibition Latrobe C131latr d-lsio-foMap43 Exhibition

Attachment 2 – Table of estimated summary of flood related overlays on properties.

Properties	New FO	Delete FO	New LSIO	Delete LSIO
Callignee	3	0	0	2
Driffield	0	0	0	1
Flynn	16	0	4	3
Glengarry	44	0	131	18
Hazelwood	11	0	23	0
Hernes Oak	2	2	2	0
Koornalla	23	0	0	18
Loy Yang	11	0	0	5
Maryvale	2	6	1	0
Moe	5	8	44	31
Morwell	32	5	45	0
Newborough	14	0	0	11
Tanjil South	3	0	0	9
Traralgon	444	4	592	164
Tyers	12	0	13	13
Yallourn North	26	0	0	21
Yinnar	0	0	6	0
	652	25	879	296

Planning and Environment Act 1987

Latrobe Planning Scheme

Amendment C131latr

Instruction sheet

The planning authority for this amendment is the Latrobe Planning Scheme

The Latrobe Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 82 attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map Nos 5LSIO-FO, 11LSIO-FO, 14LSIO-FO, 15LSIO-FO, 16LSIO-FO, 17LSIO-FO, 18LSIO-FO, 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 23LSIO-FO, 24LSIO-FO, 25LSIO-FO, 37LSIO-FO, 38LSIO-FO, 41LSIO-FO, 42LSIO-FO, 43LSIO-FO, 44LSIO-FO, 47LSIO-FO, 48LSIO-FO, 49LSIO-FO, 50LSIO-FO, 56LSIO-FO, 60LSIO-FO, 61LSIO-FO, 63LSIO-FO, 64LSIO-FO, 65LSIO-FO, 66LSIO-FO, 69LSIO-FO, 70LSIO-FO, 82LSIO-FO, 83LSIO-FO, 86LSIO-FO, 91LSIO-FO, 92LSIO-FO, 92LSIO-FO, 101LSIO-FO, 102LSIO-FO, 114LSIO-FO in the manner shown on the 76 attached maps marked “Latrobe Planning Scheme, Amendment C131”.

2. Insert new Planning Scheme Map Nos 4LSIO-FO, 40LSIO-FO, 71LSIO-FO, and 76LSIO-FO, in the manner shown on the 4 attached maps marked “Latrobe Planning Scheme, Amendment C131”.

3. Delete Planning Scheme Map Nos 26LSIO-FO, and 52LSIO-FO, in the manner shown on the 2 attached maps marked “Latrobe Planning Scheme, Amendment C131”.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

4. In **Purpose and Vision** – replace Clause 02.04 with a new Clause 02.04 in the form of the attached document.

5. In **Planning Policy Framework**- replace Clause 11.01-1 L with a new Clause 11.01-1 L in the form of the attached document.

6. In **Overlays** – Clause 44.04, replace Schedule 1 with a new Schedule 1 in the form of the attached document.

7. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.

End of document

AMENDMENT C131LATR

System Note: The following ordinance will be modified in Clause:02 MUNICIPAL PLANNING STRATEGY

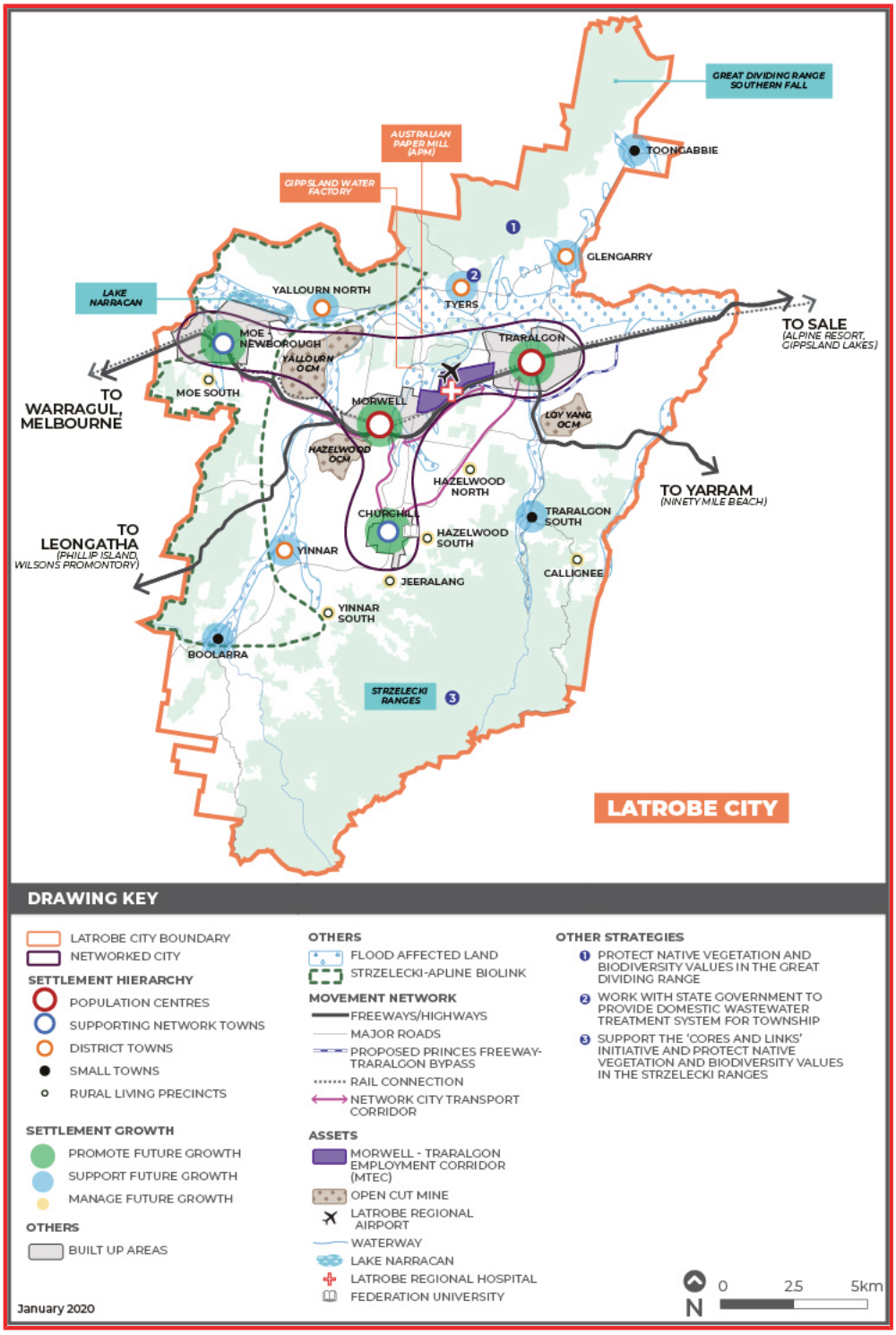
AMENDMENT C131LATR

02.04 STRATEGIC FRAMEWORK PLANS

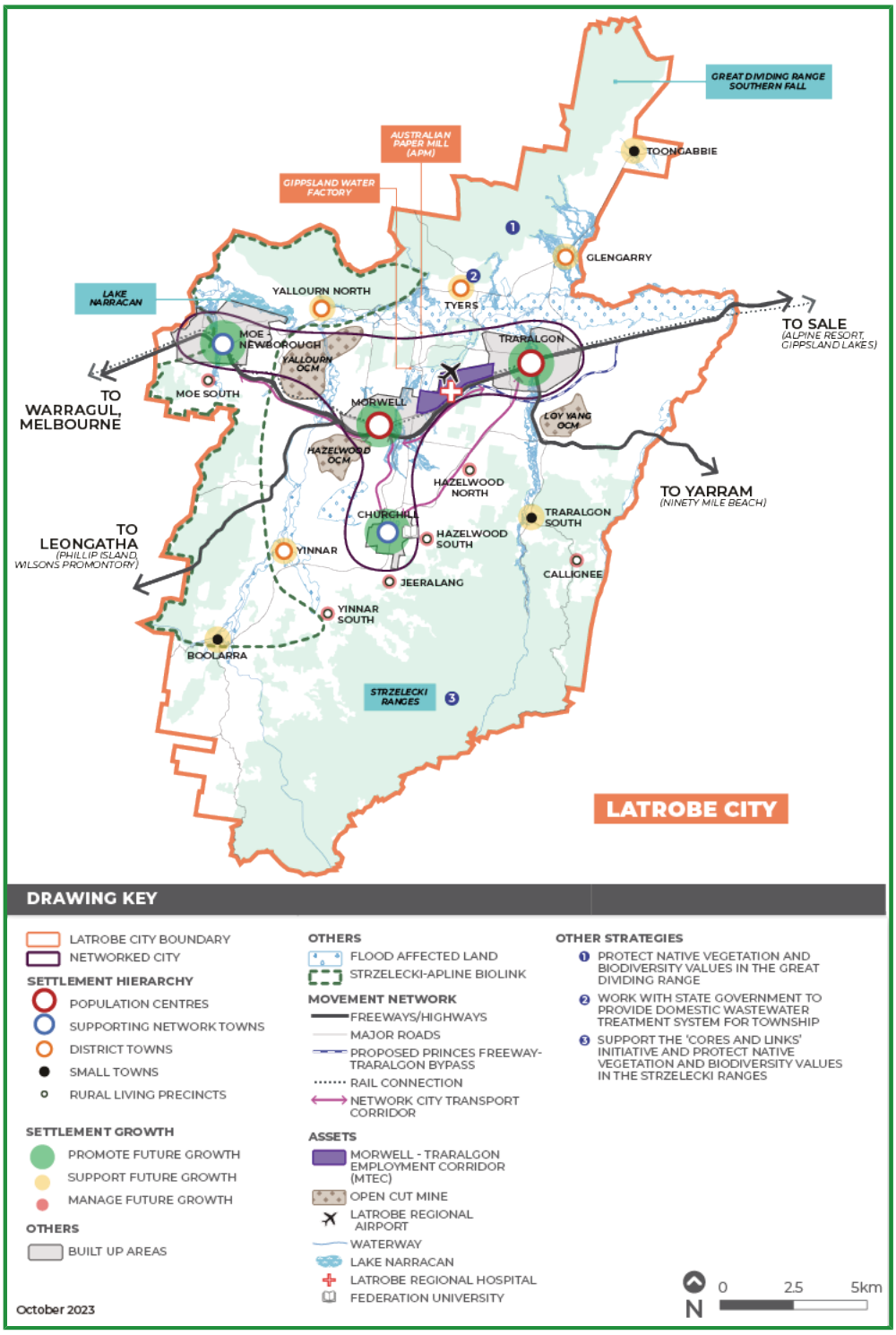
C131latr

The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

Strategic framework plan

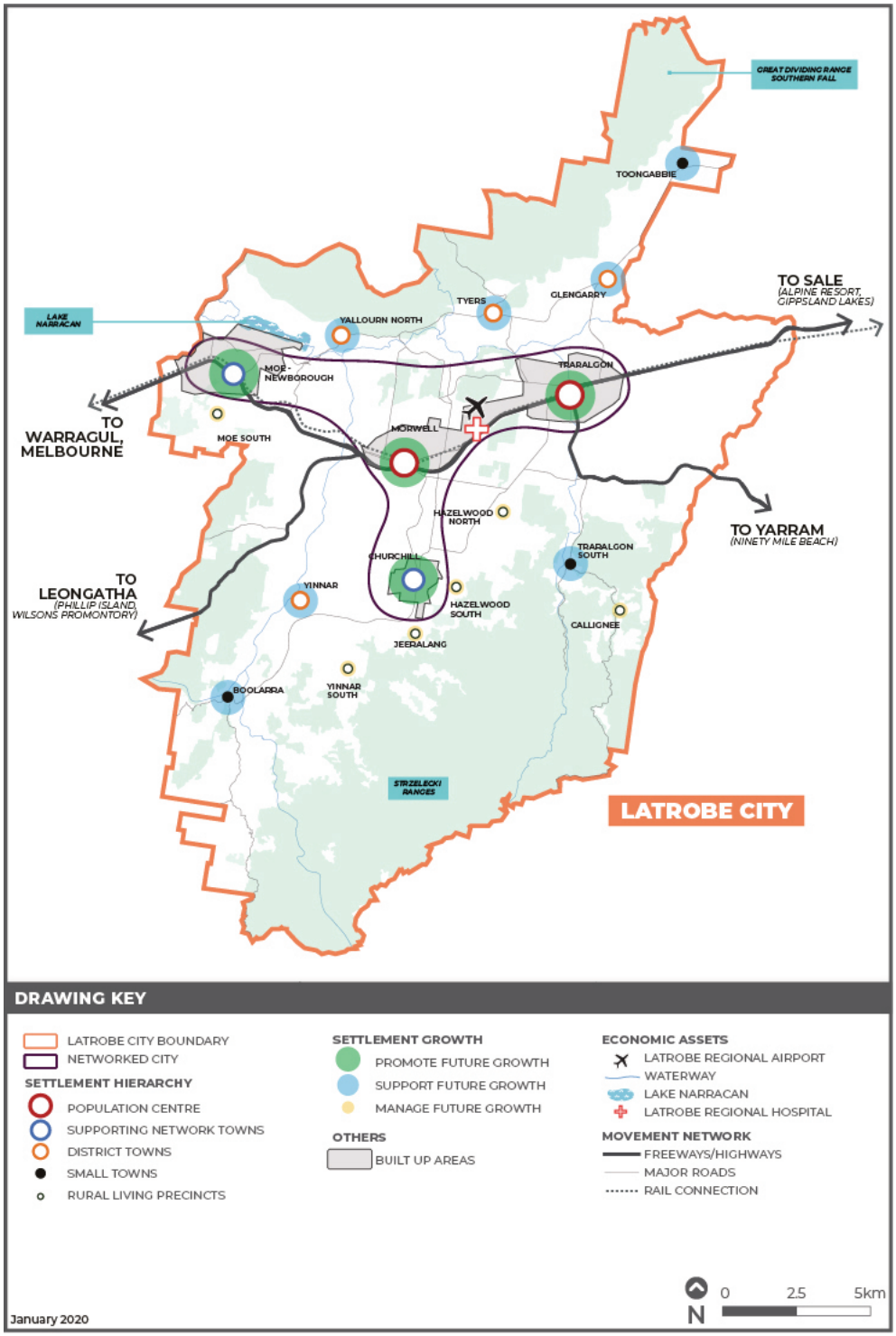


AMENDMENT C131LATR



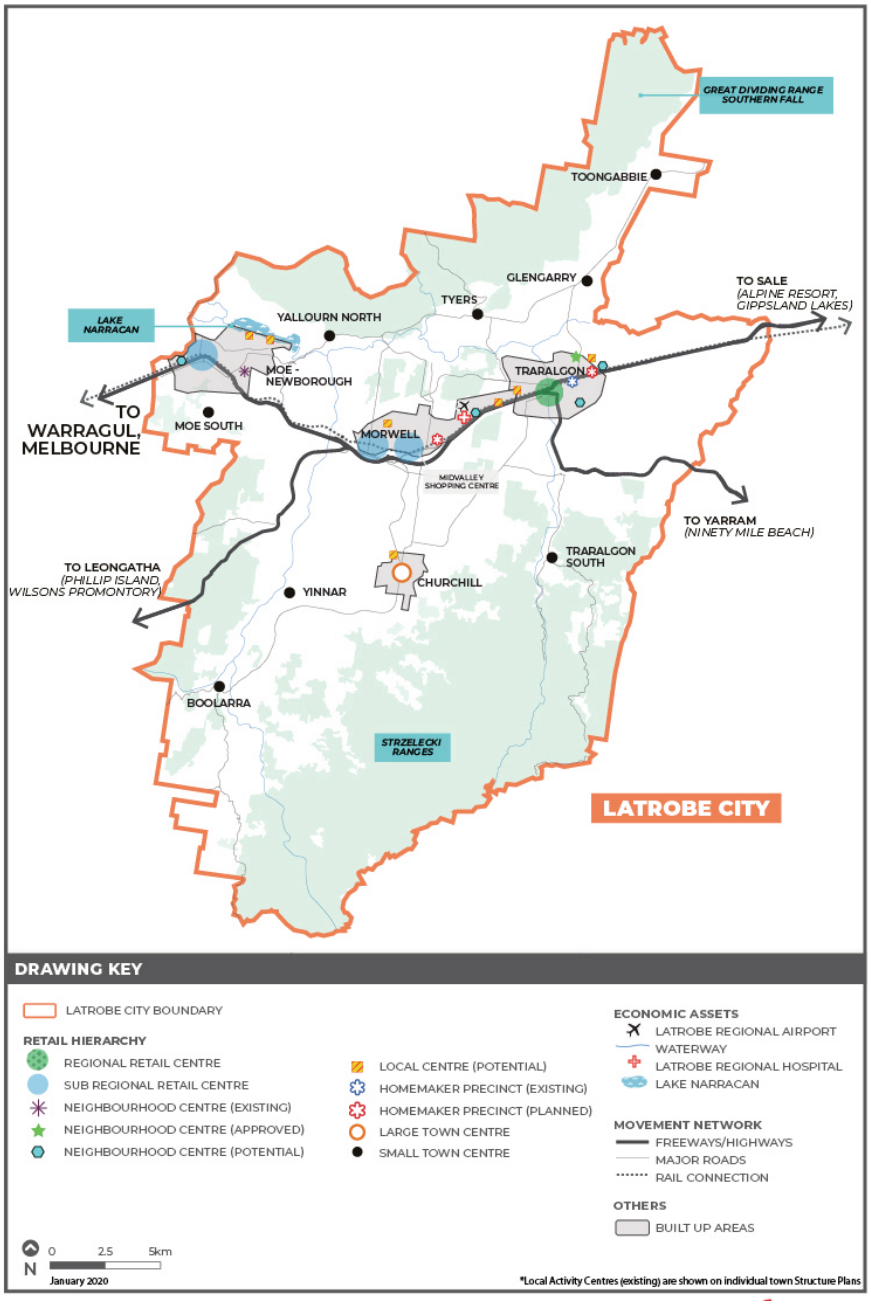
AMENDMENT C131LATR

Settlement plan



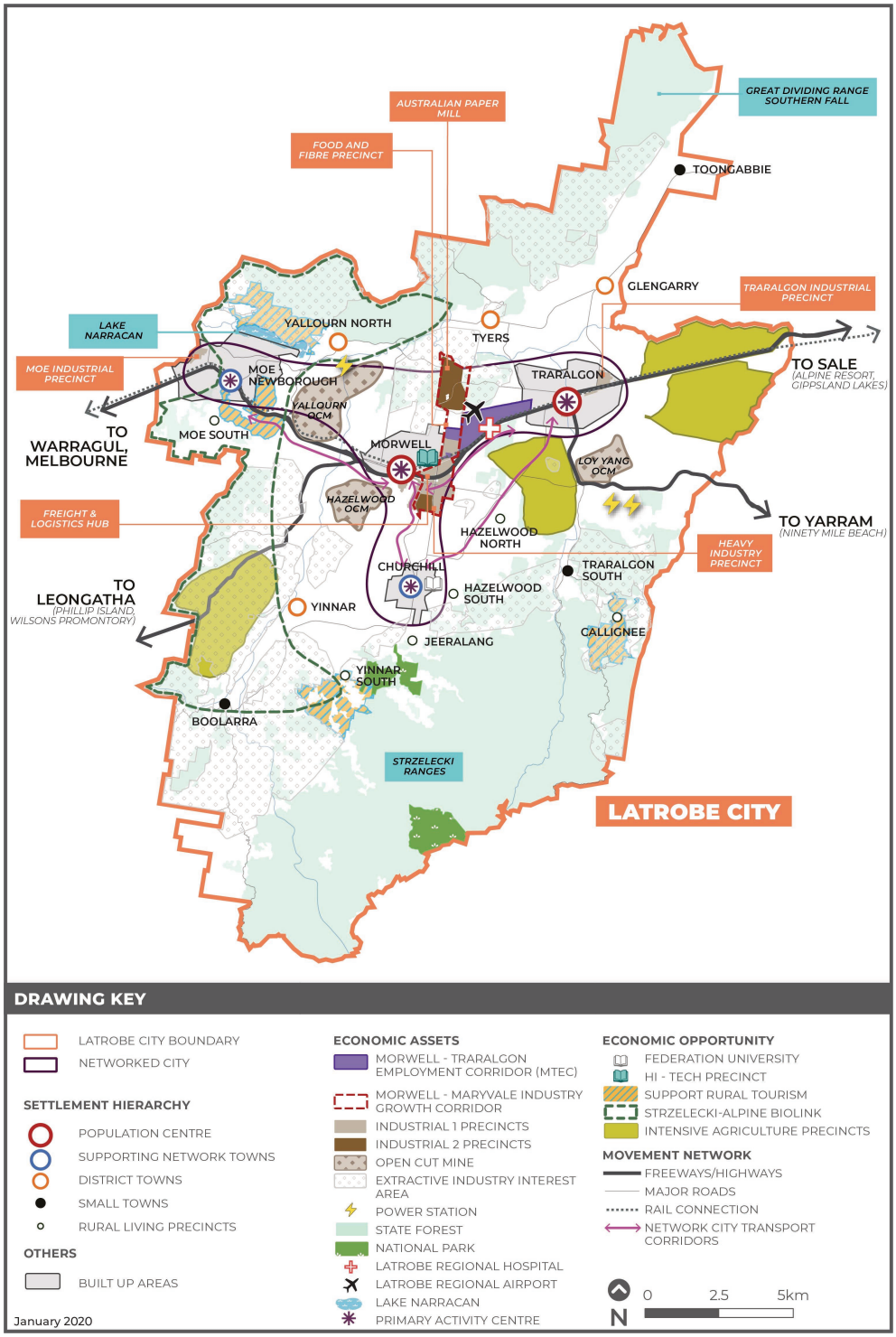
AMENDMENT C131LATR

Retail Hierarchy plan



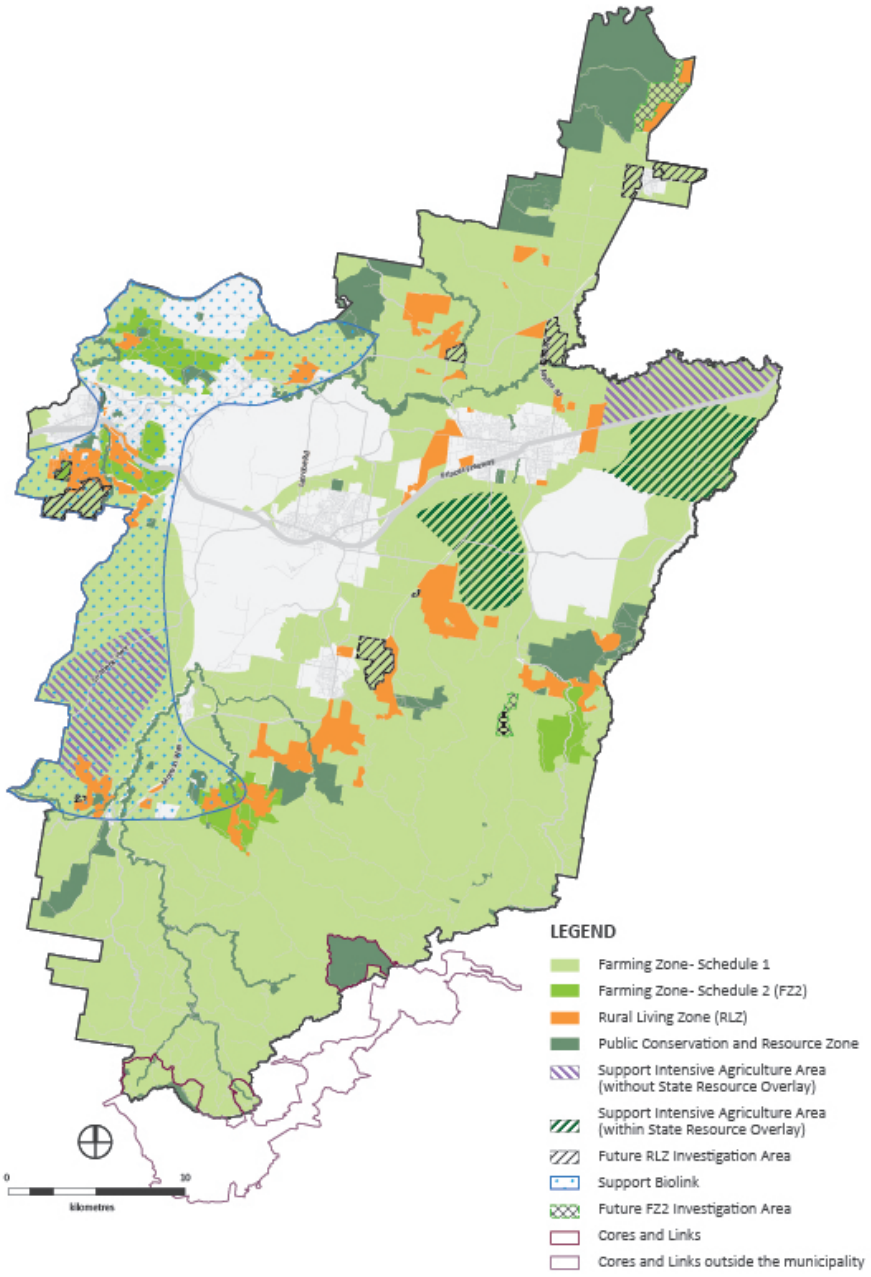
AMENDMENT C131LATR

Economic strategy plan



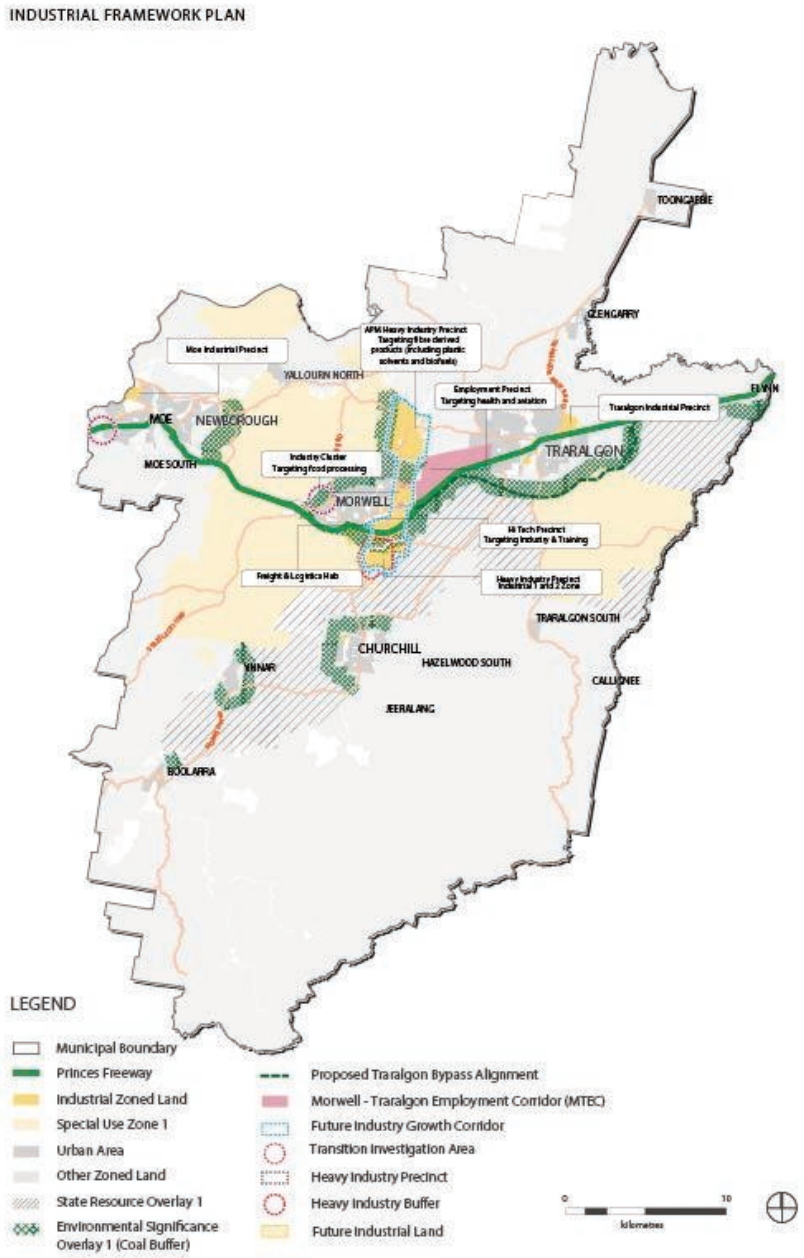
AMENDMENT C131LATR

Rural framework plan



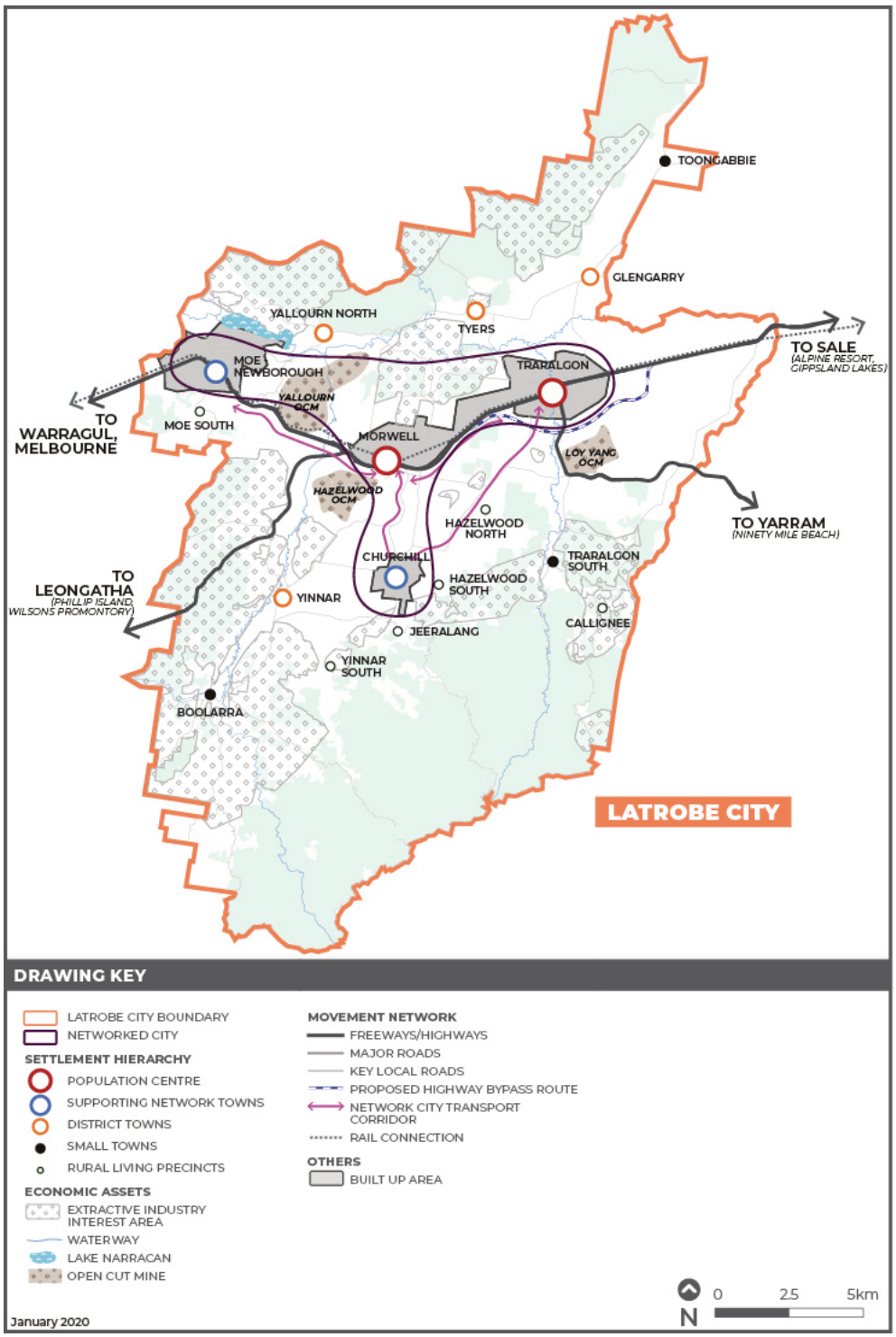
AMENDMENT C131LATR

Industrial framework plan



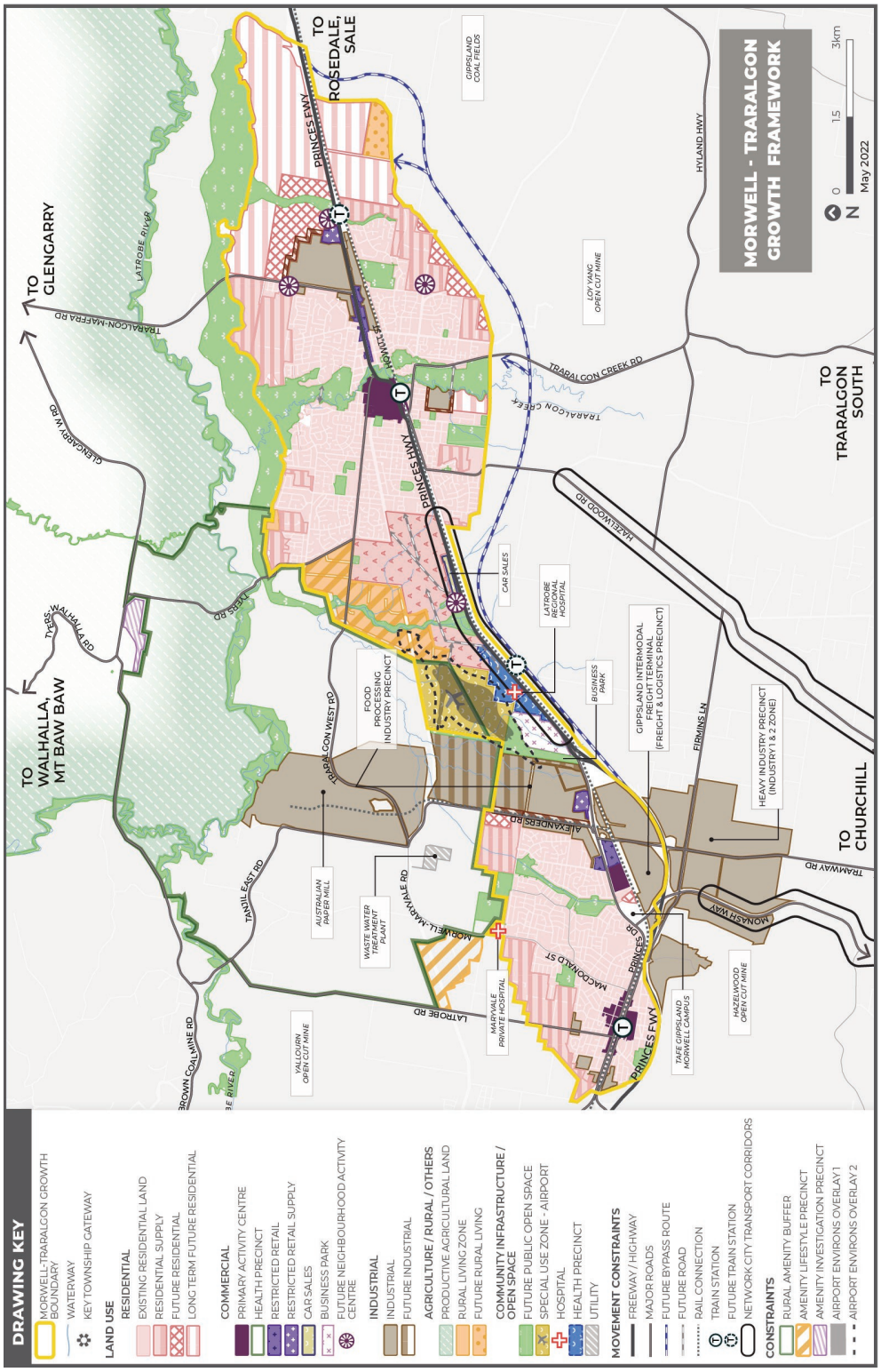
AMENDMENT C131LATR

Extractive industries framework plan



AMENDMENT C131LATR

Traralgon-Morwell Growth Framework Plan



AMENDMENT C131LATR

System Note: The following ordinance will be modified in Clause:11 SETTLEMENT, Sub-Clause:11.01 VICTORIA

11.01-1L Glengarry

C131latr

Policy application

This policy applies to land within the Glengarry Town Structure Plan (GTSP) in this clause.

Strategies

Support Glengarry's role as a dormitory suburb of Traralgon.

Encourage development in GTSP Areas 1, 2, 3 and 4 that is sensitive to the Eaglehawk Creek environment and floodplains.

Encourage low density residential development in GTSP Area 5.

Encourage development of large allotments within existing residential areas GTSP Area 6.

Protect public open space areas including the Gippsland Rail Trail (GTSP Areas 8 & 9).

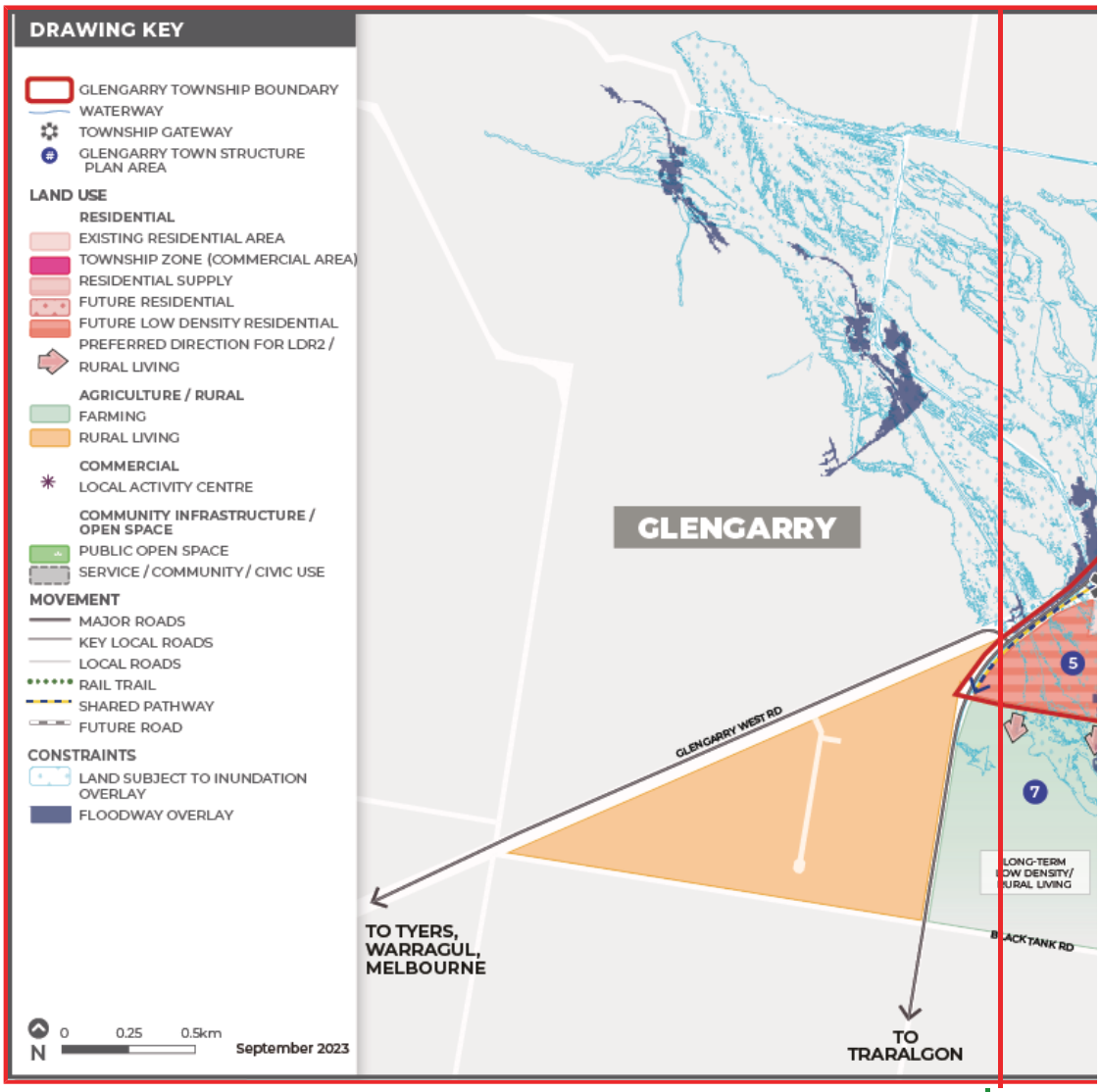
Policy documents

Consider as relevant:

- *Small Town Structure Plans: Boolarra, Glengarry & Tyers* (NBA Group Pty Ltd, 2009)
- *Traralgon Growth Area Framework* (Hansen Partnership, 2013)

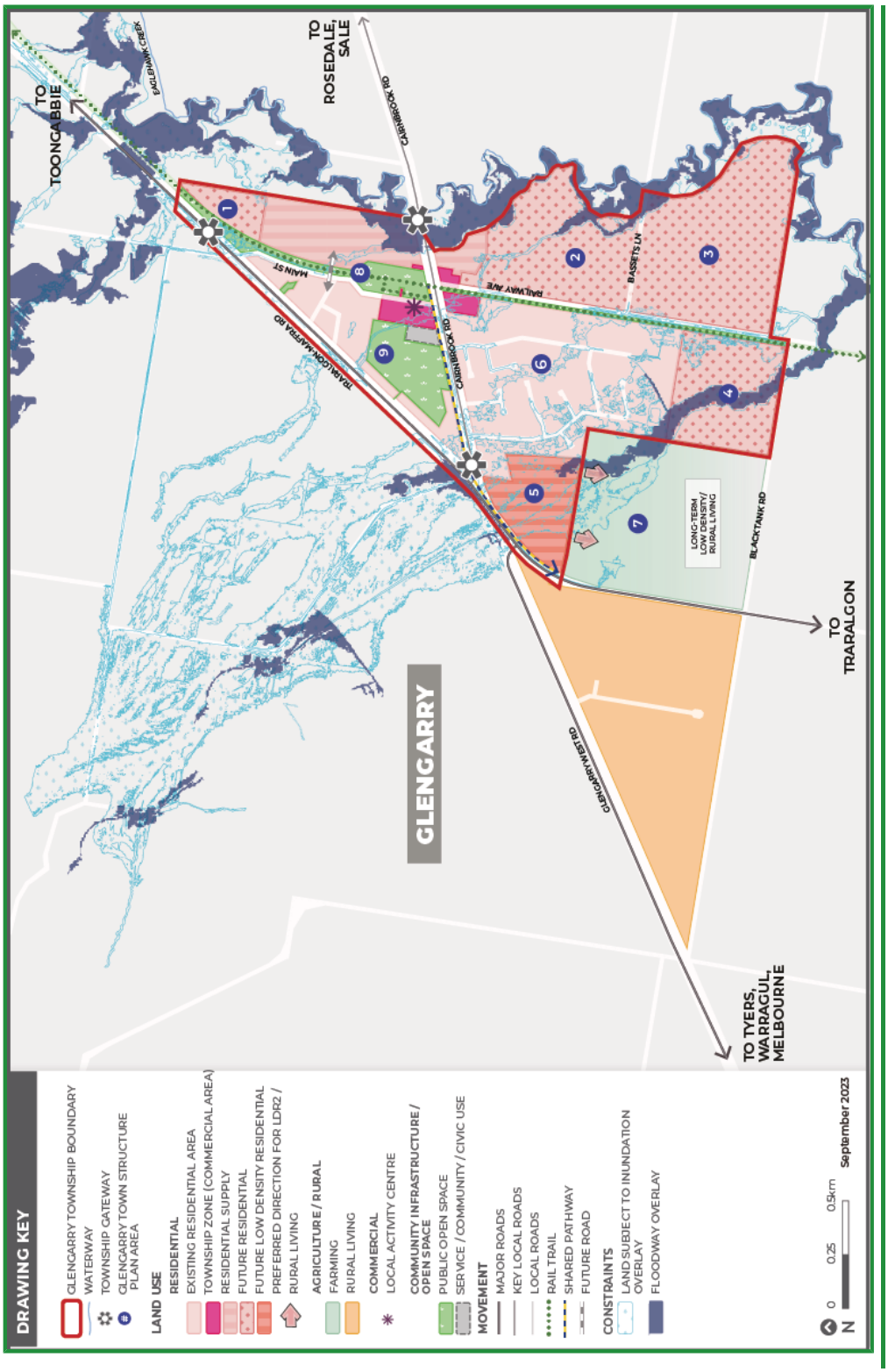
~~Glengarry Town Structure Plan (GTSP)~~

AMENDMENT C131LATR



Glengarry Town Structure Plan (GTSP)

AMENDMENT C131LATR



AMENDMENT C131LATR

System Note: The following ordinance will be modified in Sub-Clause:44.04 LAND SUBJECT TO INUNDATION OVERLAY, Schedule:SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

4.0
C131latr

Application requirements

The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Written advice from the relevant floodplain management authority which assesses the viability of the proposed development and specifies the Nominal Flood Protection Level as appropriate.
- A plan, drawn to scale, which shows:
  - A location plan showing the boundaries and dimensions of the site, surrounding uses and the layout of existing and proposed buildings and works.
  - Elevation plans showing the natural ground level, finished ground level and the floor levels of any proposed buildings in relation to Australian Height Datum, taken by or under direction of a licensed surveyor where requested by the responsible authority or relevant floodplain management authority.
  - For inland waterways, the 1 per cent AEP flood level as specified in written advice by the relevant floodplain management authority.
  - Any additional information required and requested in writing by the relevant floodplain management authority.

System Note: The following ordinance will be modified in Sub-Clause:72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?, Schedule:SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0
C131latr

Maps comprising part of this planning scheme:

- 1, 1BMO
- 2, 2LSIO-FO; 2BMO
- 3, 3BMO
- 4, 4LSIO-FO, 4BMO
- 5, 5HO, 5LSIO-FO, 5BMO
- 6, 6HO, 6LSIO-FO
- 7, 7LSIO-FO
- 8, 8HO, 8LSIO-FO
- 9, 9LSIO-FO
- 10, 10LSIO-FO
- 11, 11DDO, 11ESO, 11LSIO-FO, 11BMO
- 12, 12DDO, 12ESO, 12BMO
- 13, 13DDO, 13ESO, 13HO, 13BMO
- 14, 14DPO, 14ESO, 14LSIO-FO, 14BMO
- 15, 15LSIO-FO, 15BMO
- 16, 16HO, 16LSIO-FO, 16BMO
- 17, 17DPO, 17HO, 17LSIO-FO

AMENDMENT C131LATR

- 18, 18HO, 18LSIO-FO
- 19, 19DPO, 19HO, 19LSIO-FO
- 20, 20HO, 20LSIO-FO
- 21, 21DDO, 21LSIO-FO, 21BMO, 21SCO
- 22, 22HO, 22LSIO-FO
- 23, 23DCPO, 23HO, 23LSIO-FO
- 24, 24DCPO, 24DP0, 24LSIO-FO
- 25, 25DCPO, 25LSIO-FO
- 26, 26DPO, 26HO, 26SCO
- 27, 27DPO, 27HO, 27SCO
- 28, 28DPO, 28HO, 28LSIO-FO, 28BMO, 28SCO
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- 31, 31DCPO, 31DPO, 31ESO, 31BMO
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- 36, 36ESO, 36HO, 36BMO, 36SCO
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- 53, 53DDO
- 54, 54DDO, 54SCO
- 55, 55DDO, 55EAO, 55HO, 55PO, 55SCO

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- 93, 93DPO, 93ESO, 93LSIO-FO, 93BMO

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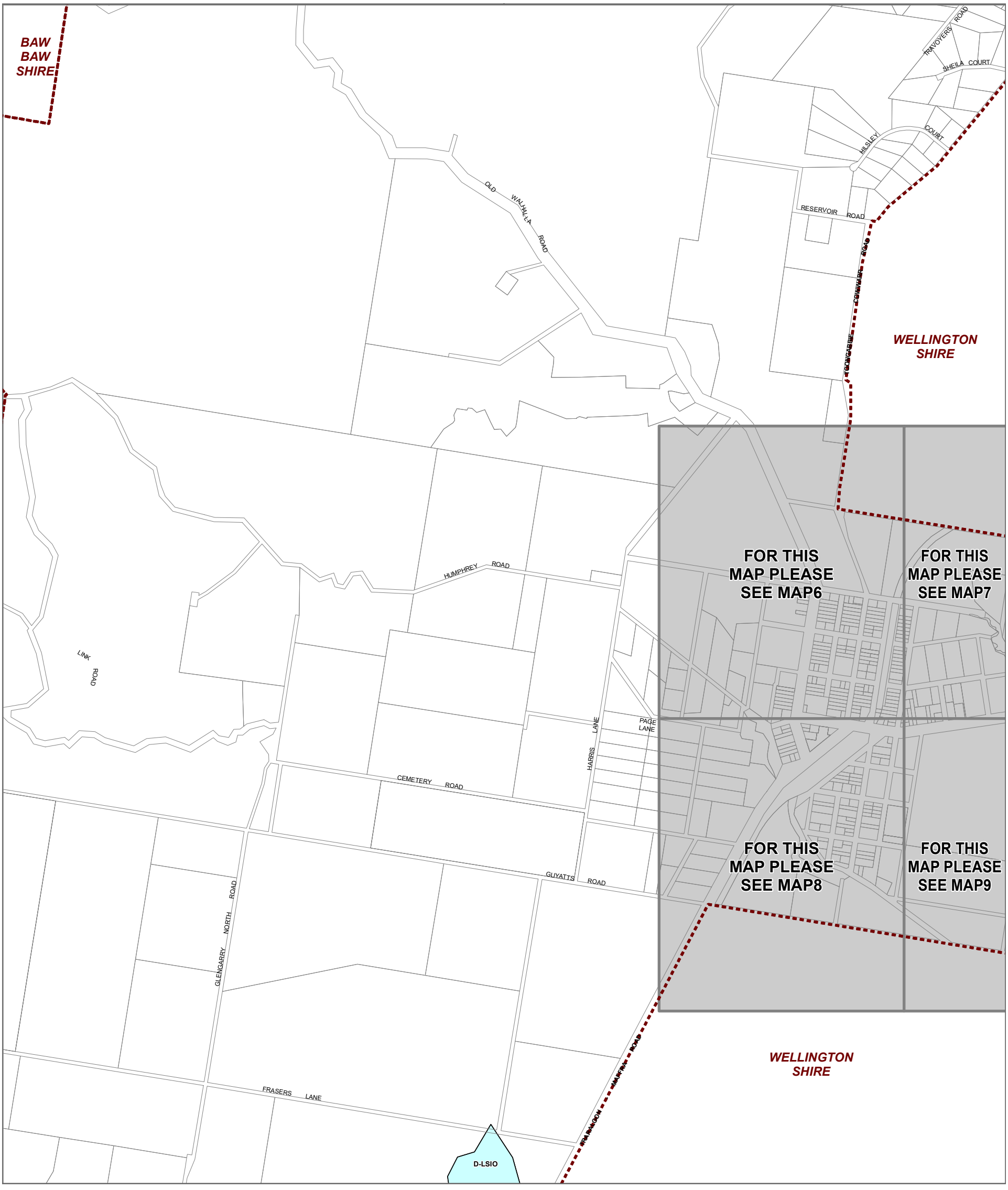
- 127, 127ESO, 127BMO
- 128, 128ESO, 128BMO
- 129, 129BMO
- 130, 130BMO
- 131, 131BMO

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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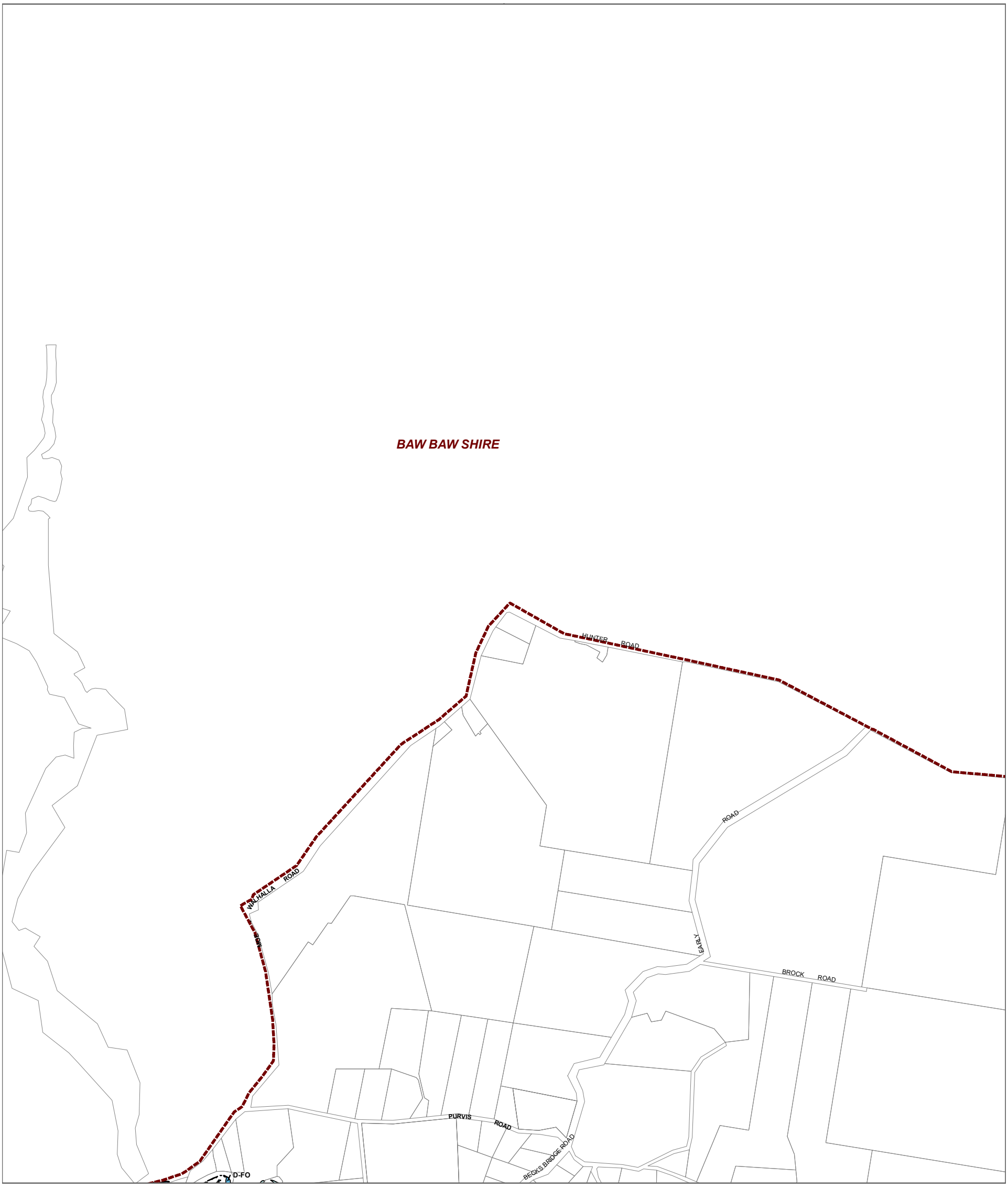
INDEX TO ADJOINING SCHEME MAPS

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 5LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C131latr



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- D-FO - Area to be deleted from a Floodway Overlay
- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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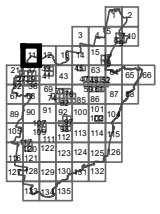

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 11LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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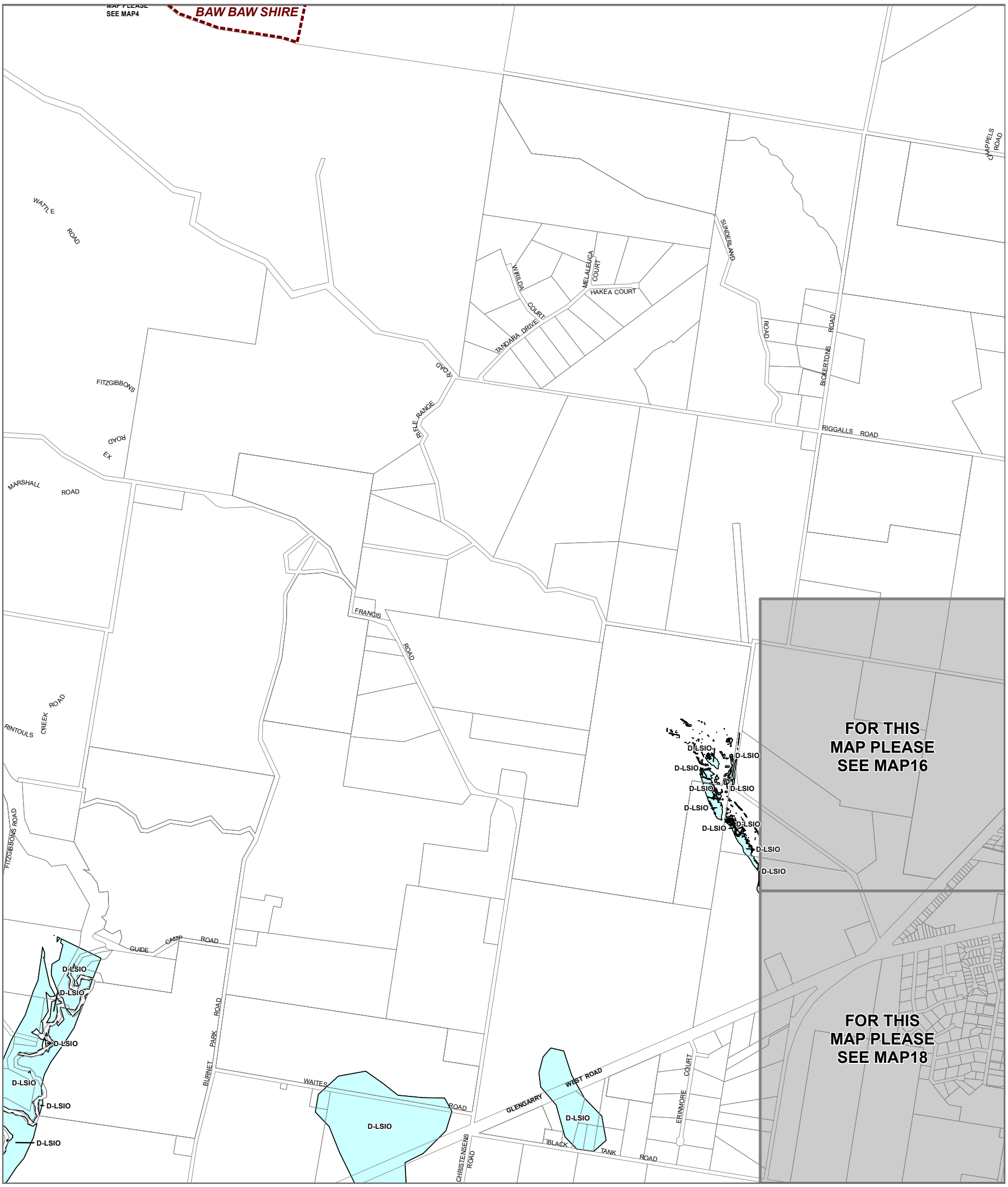
AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 14LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

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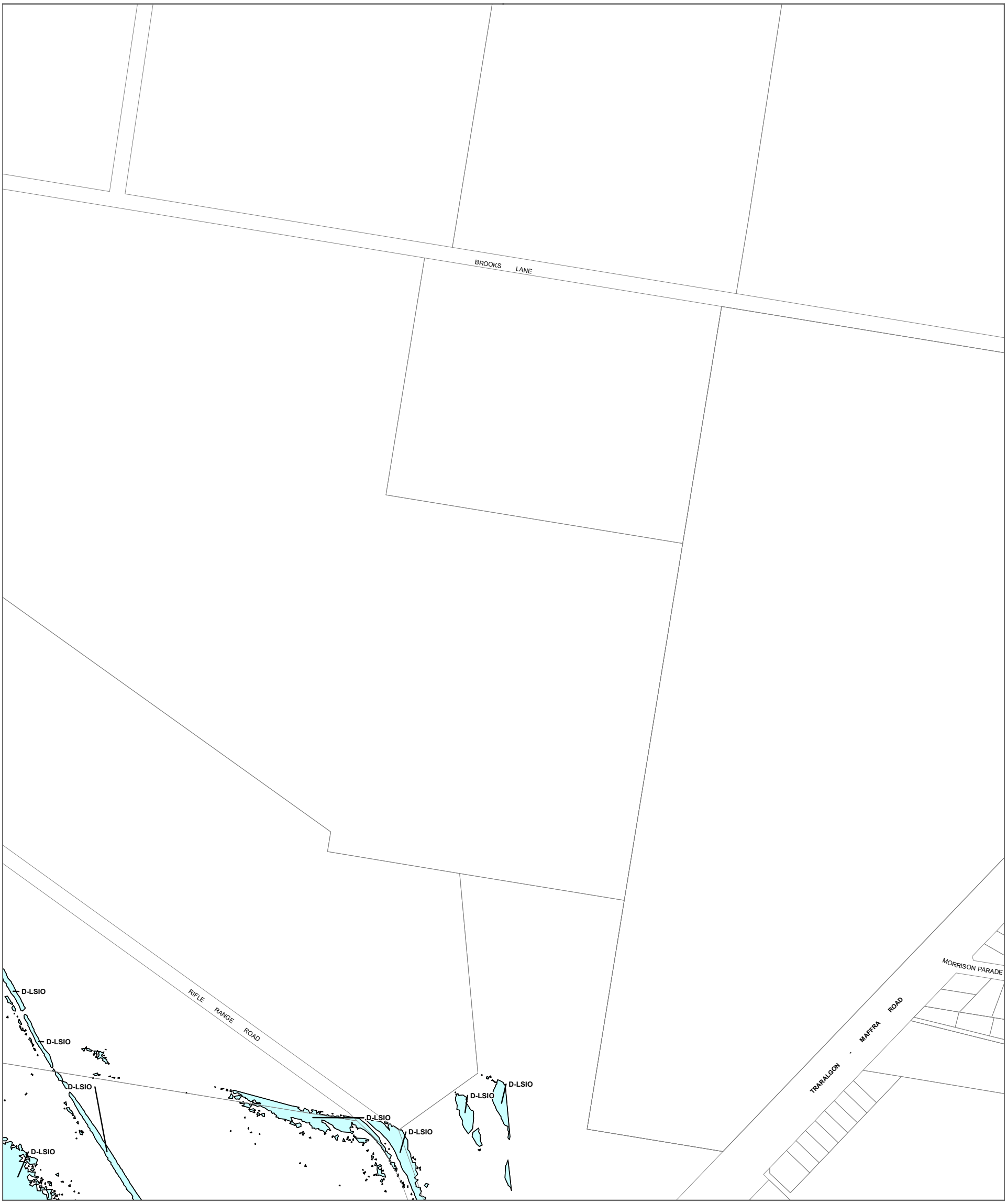
AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 15LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

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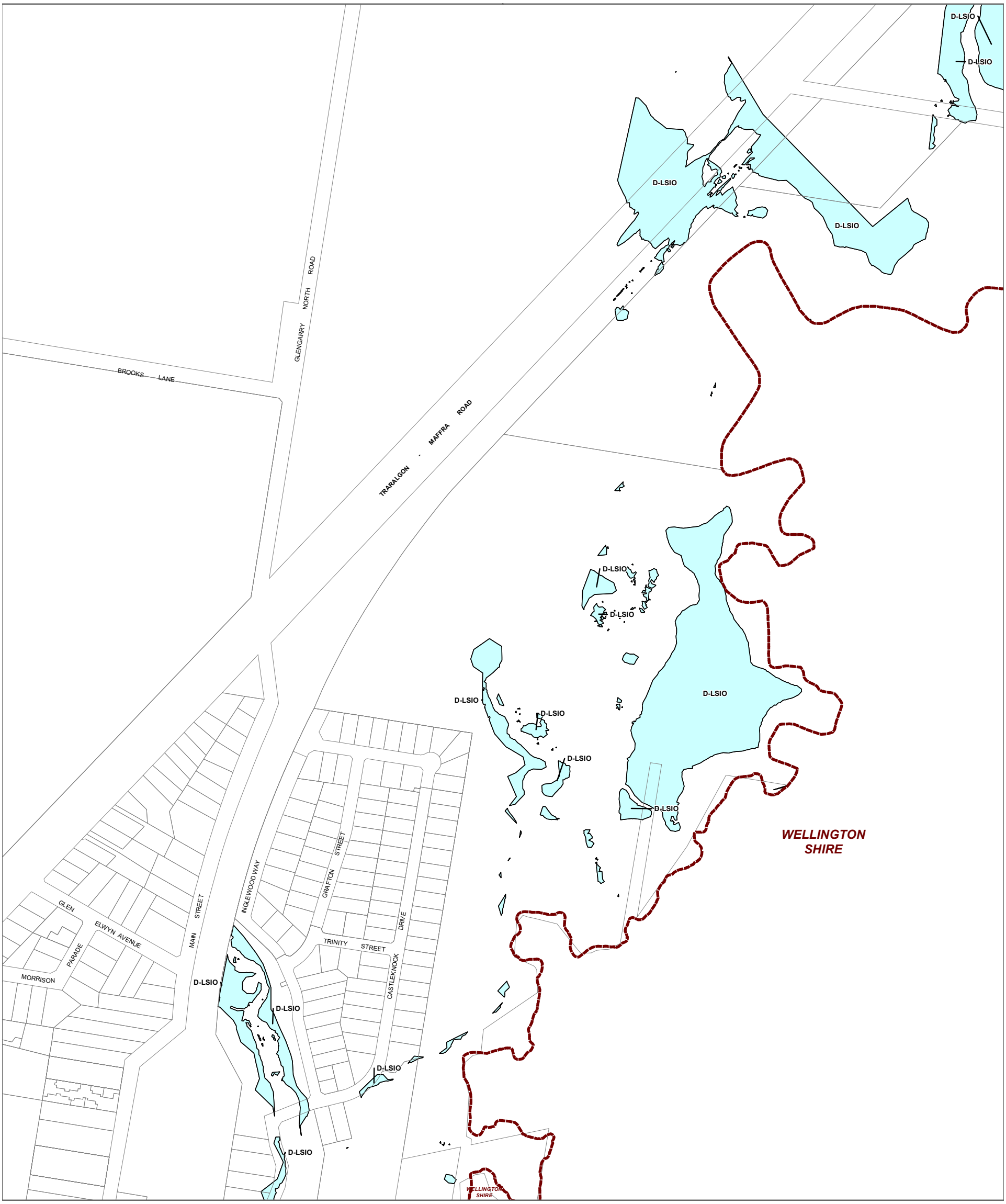
AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 16LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

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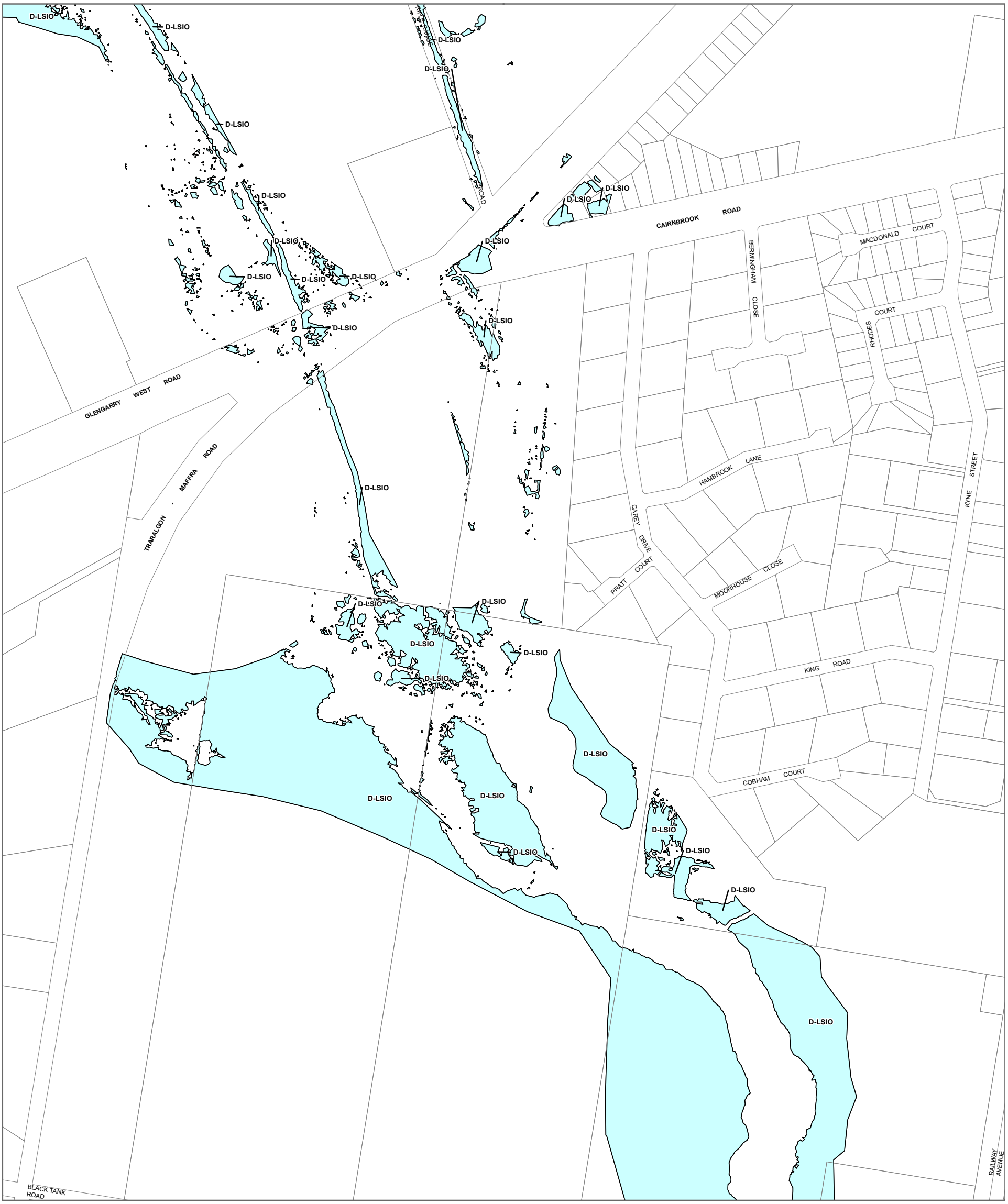
AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 17LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

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AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 18LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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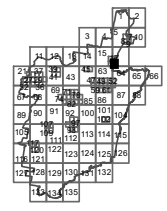
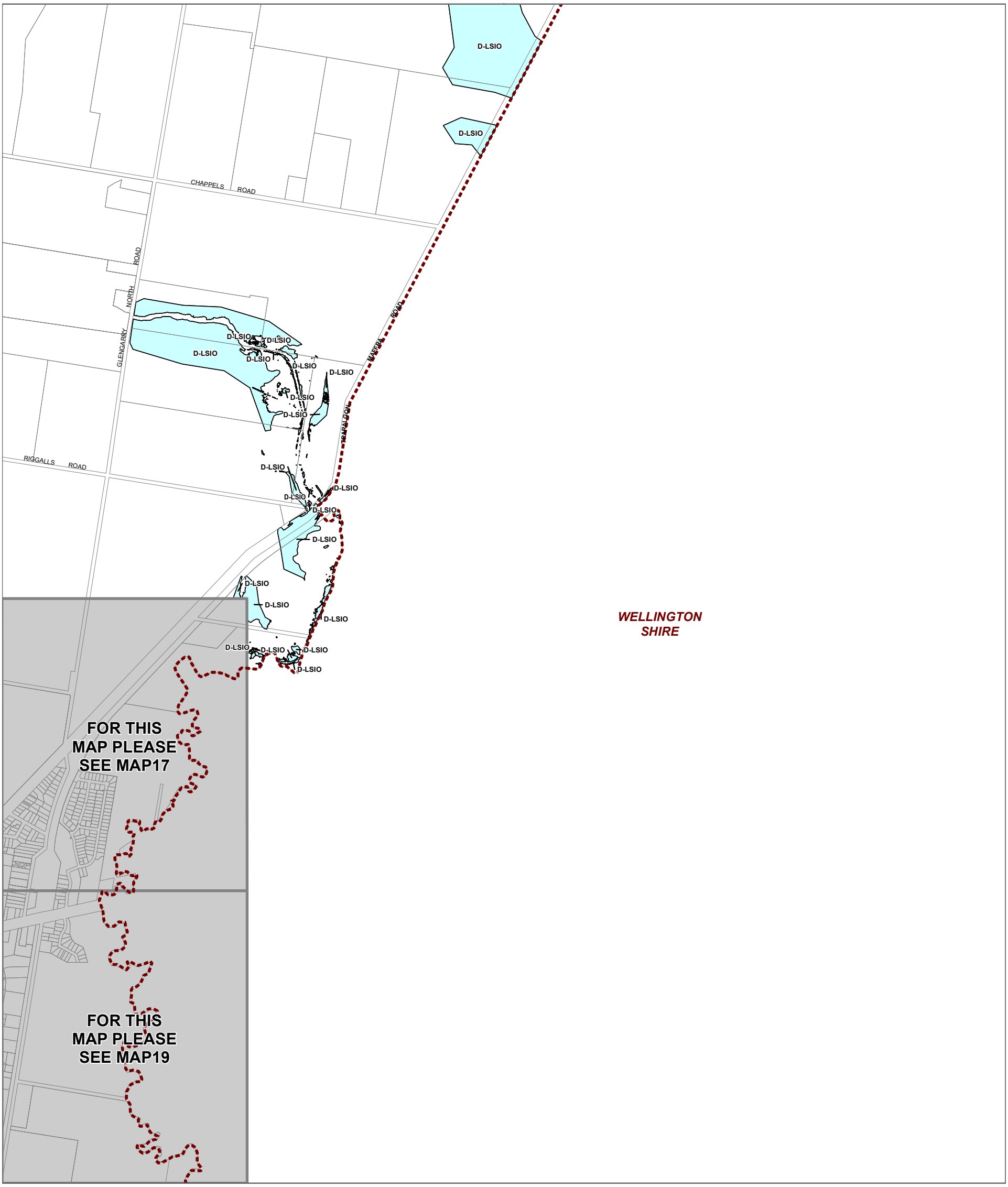


AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 19LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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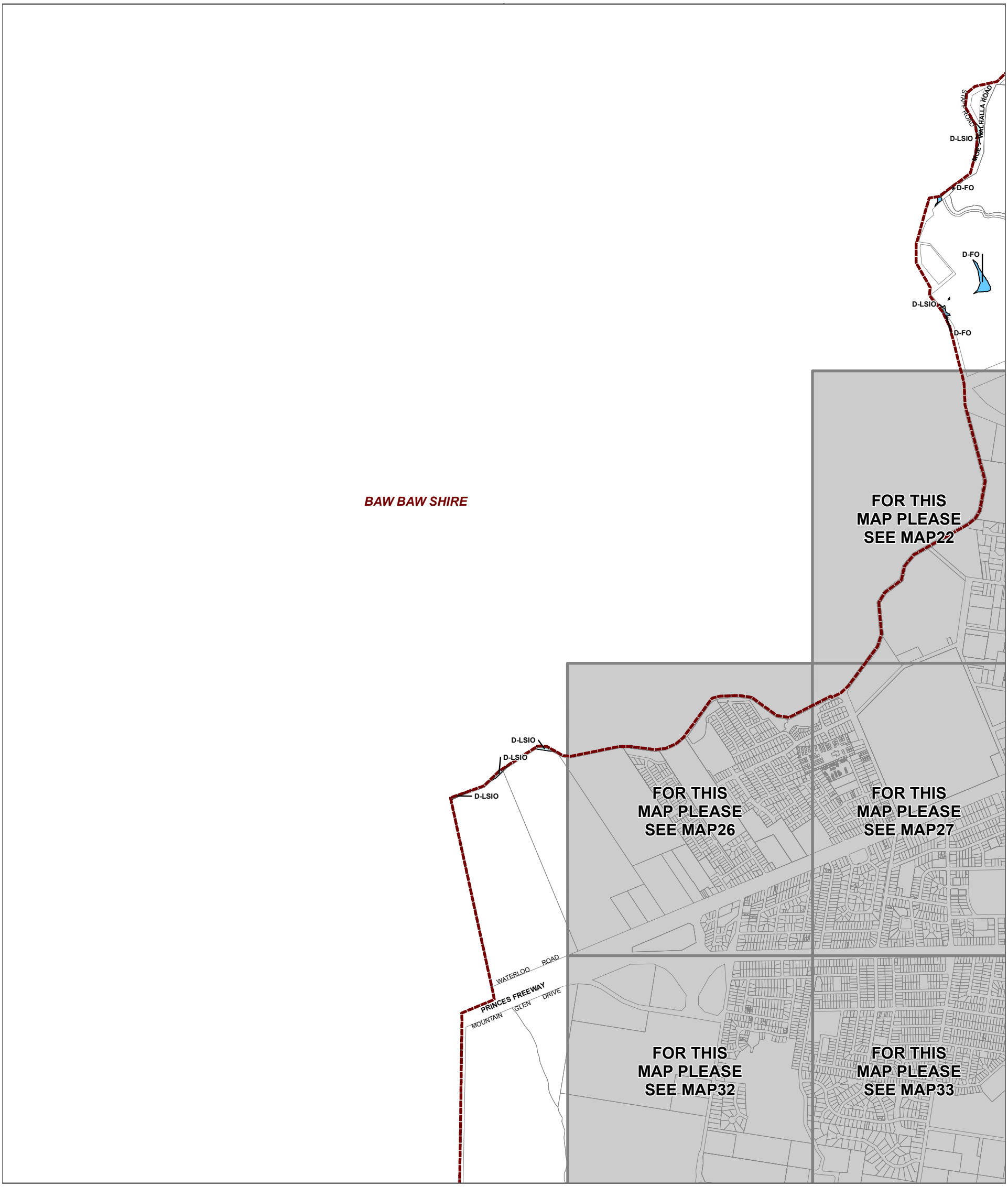

LEGEND

D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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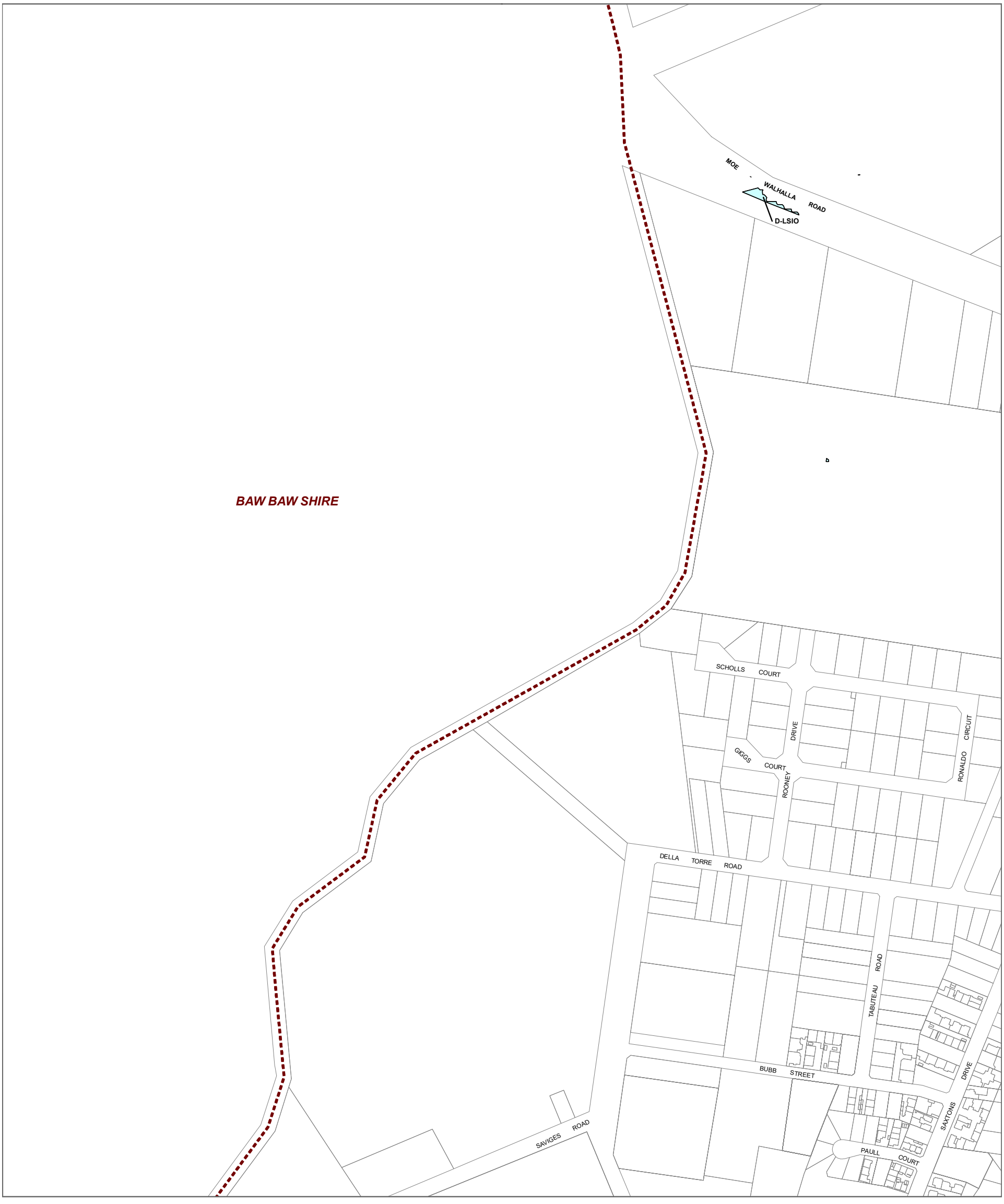

LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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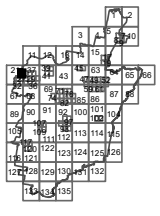

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 22LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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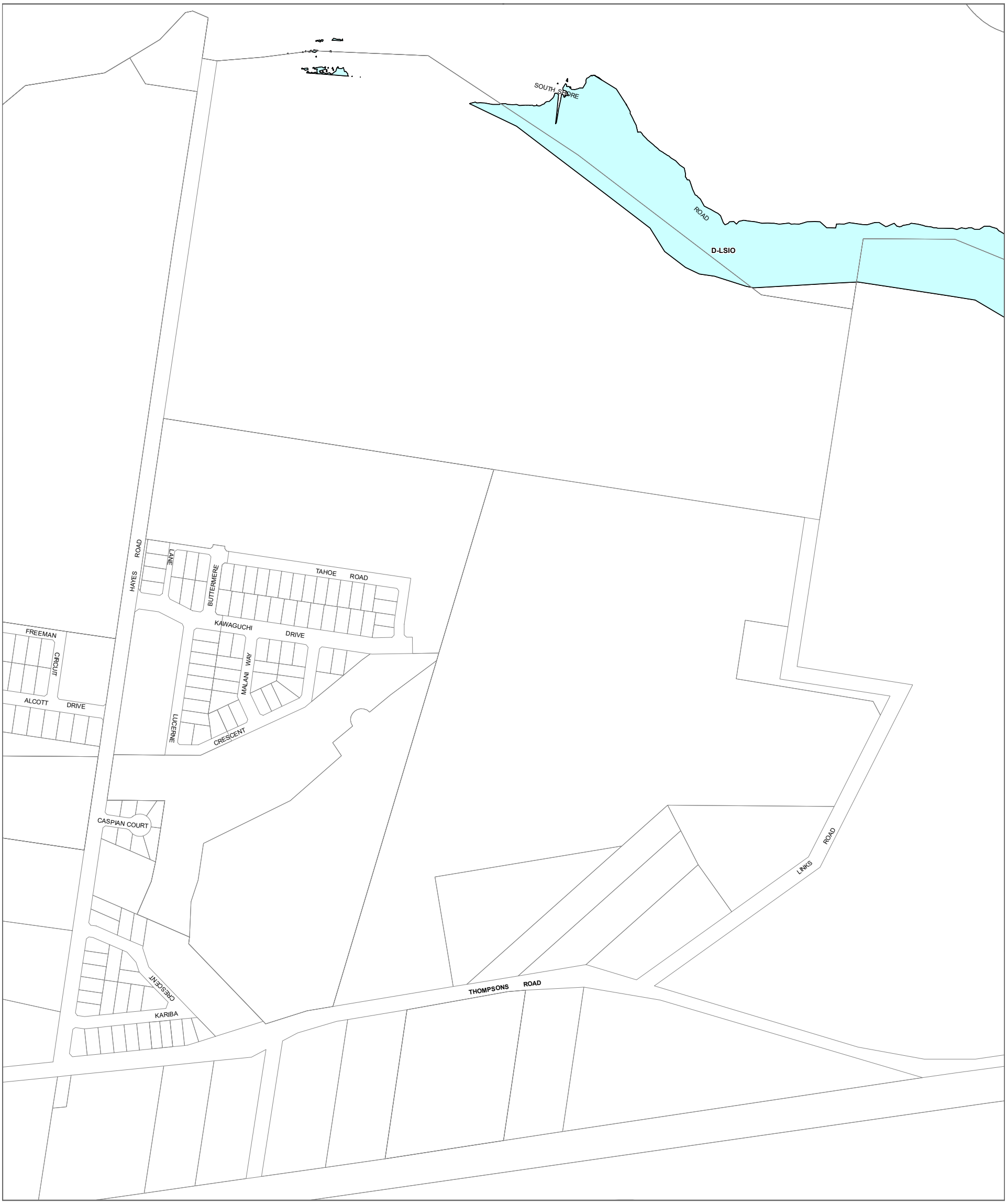
AMENDMENT C131latr



LEGEND

- D-FO - Area to be deleted from a Floodway Overlay
- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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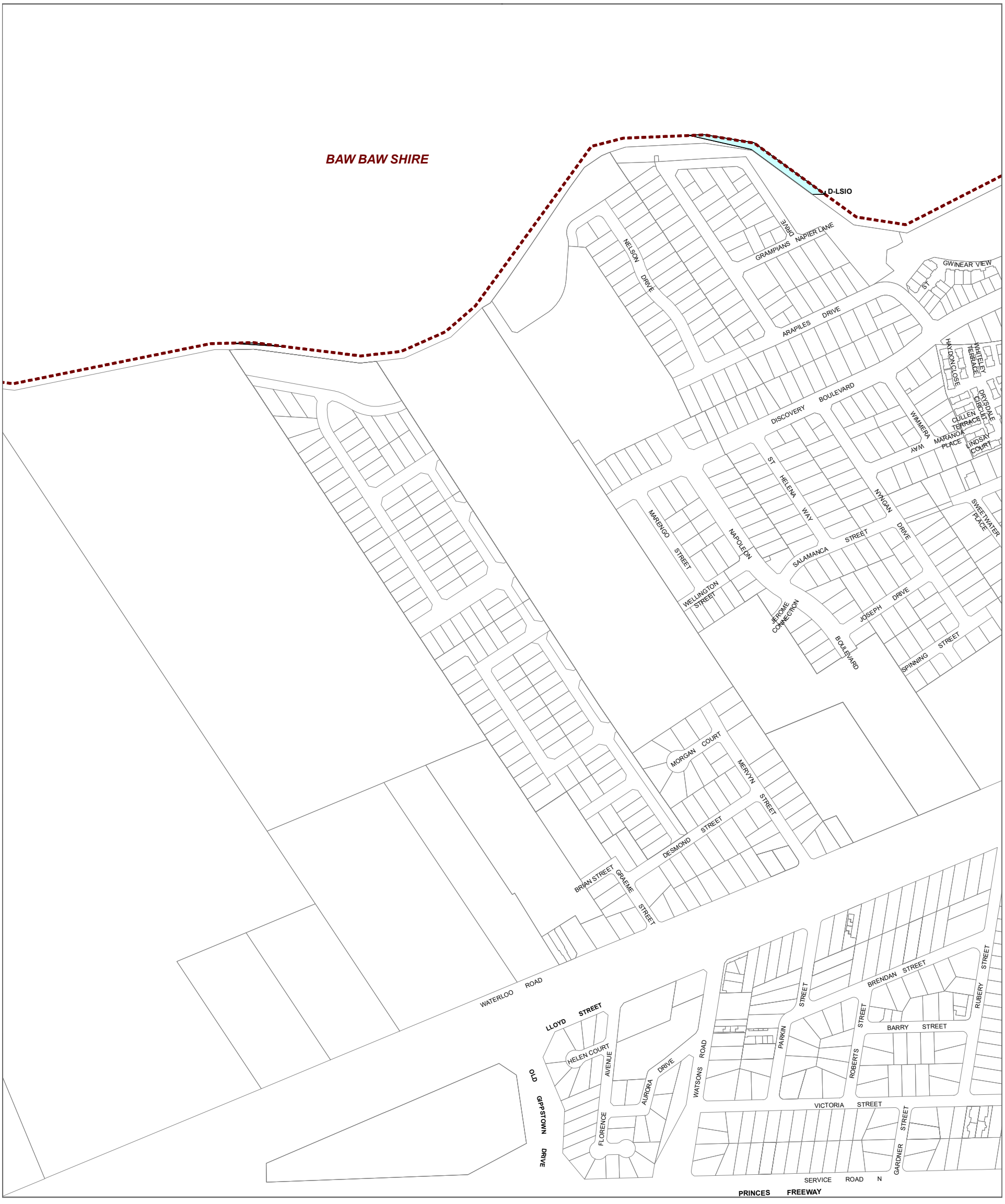

LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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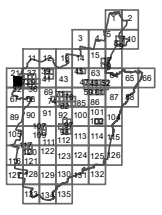

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 26LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

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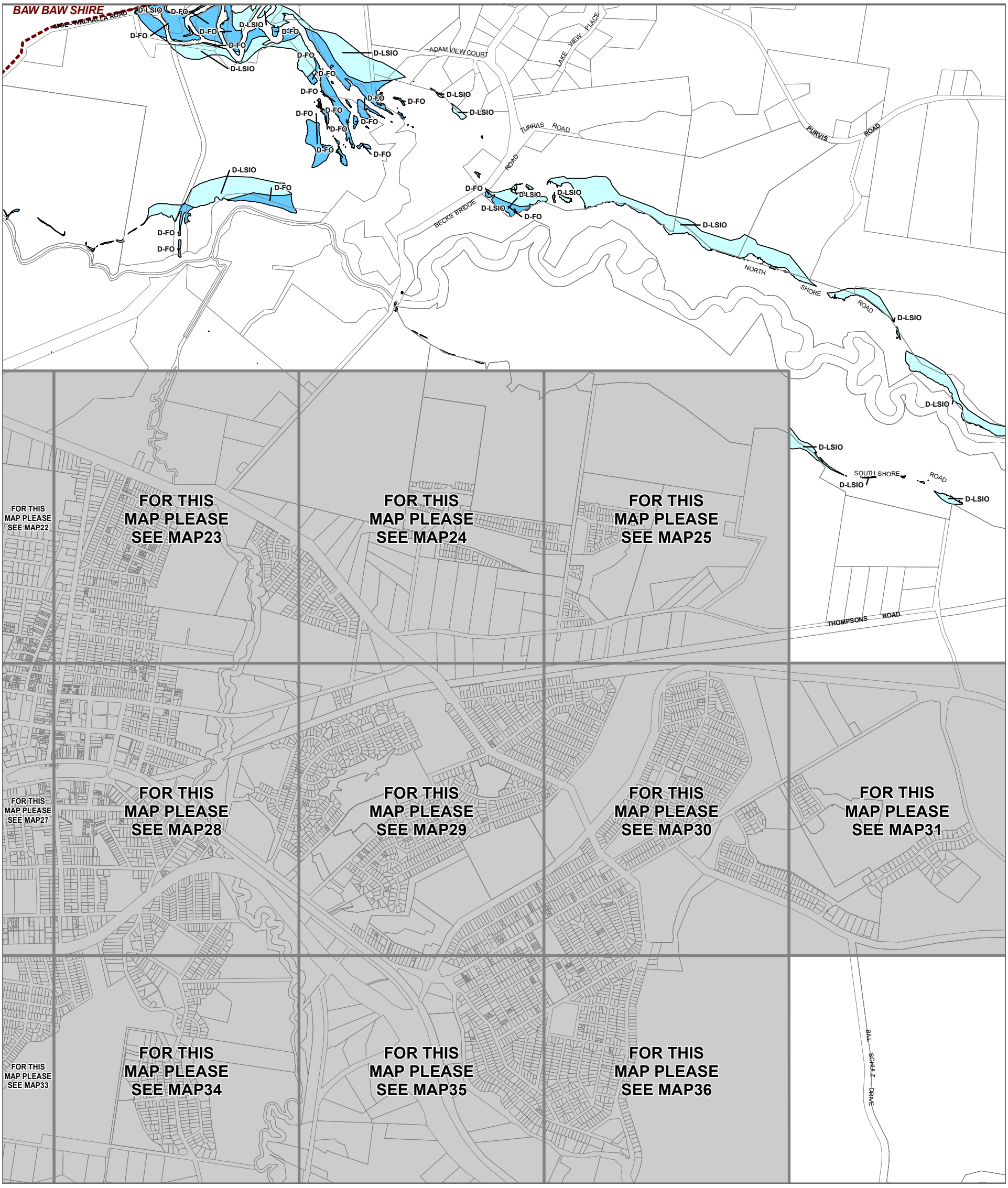

LEGEND

- D-FO - Area to be deleted from a Floodway Overlay
- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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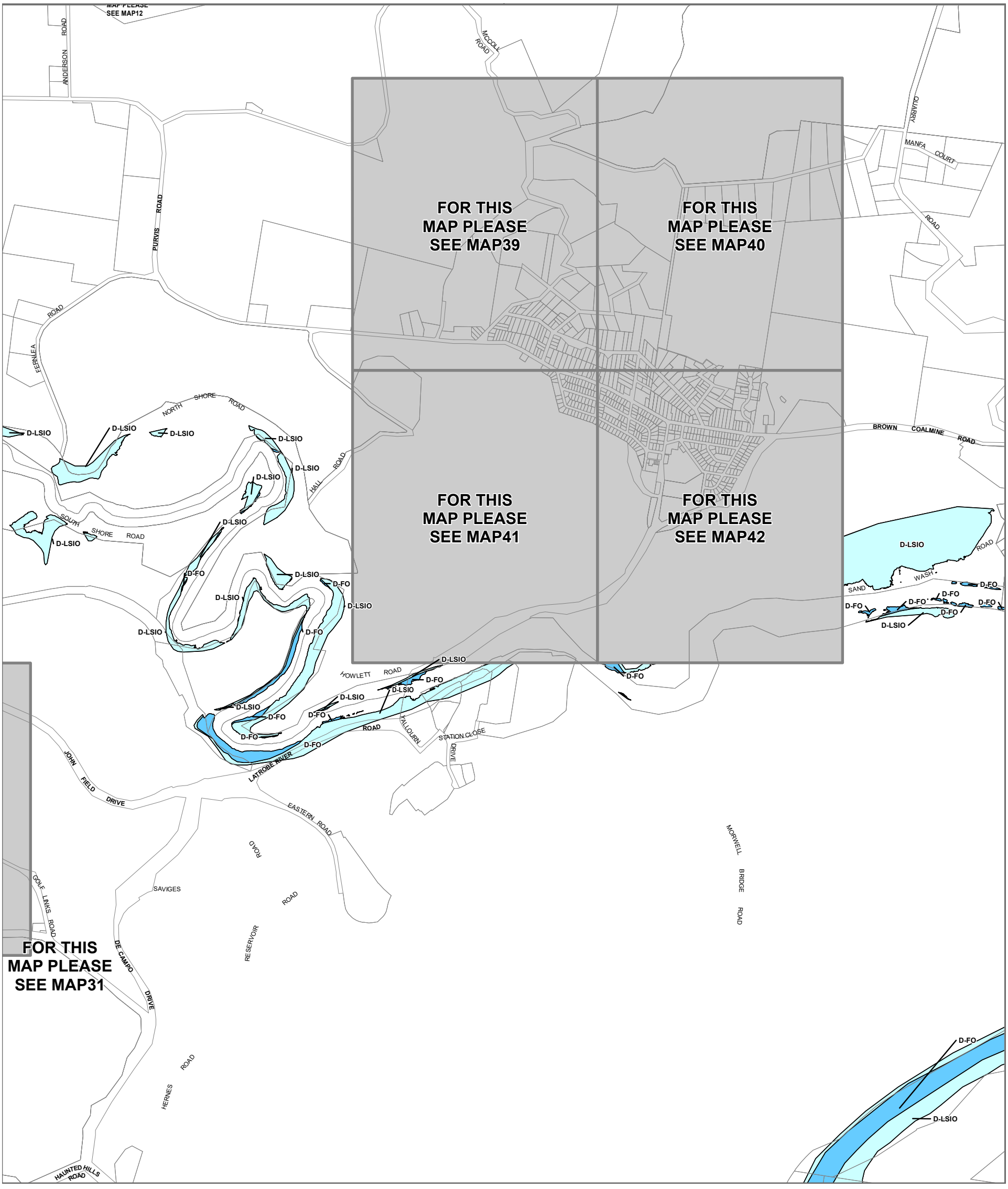

LEGEND

- D-FO - Area to be deleted from a Floodway Overlay
- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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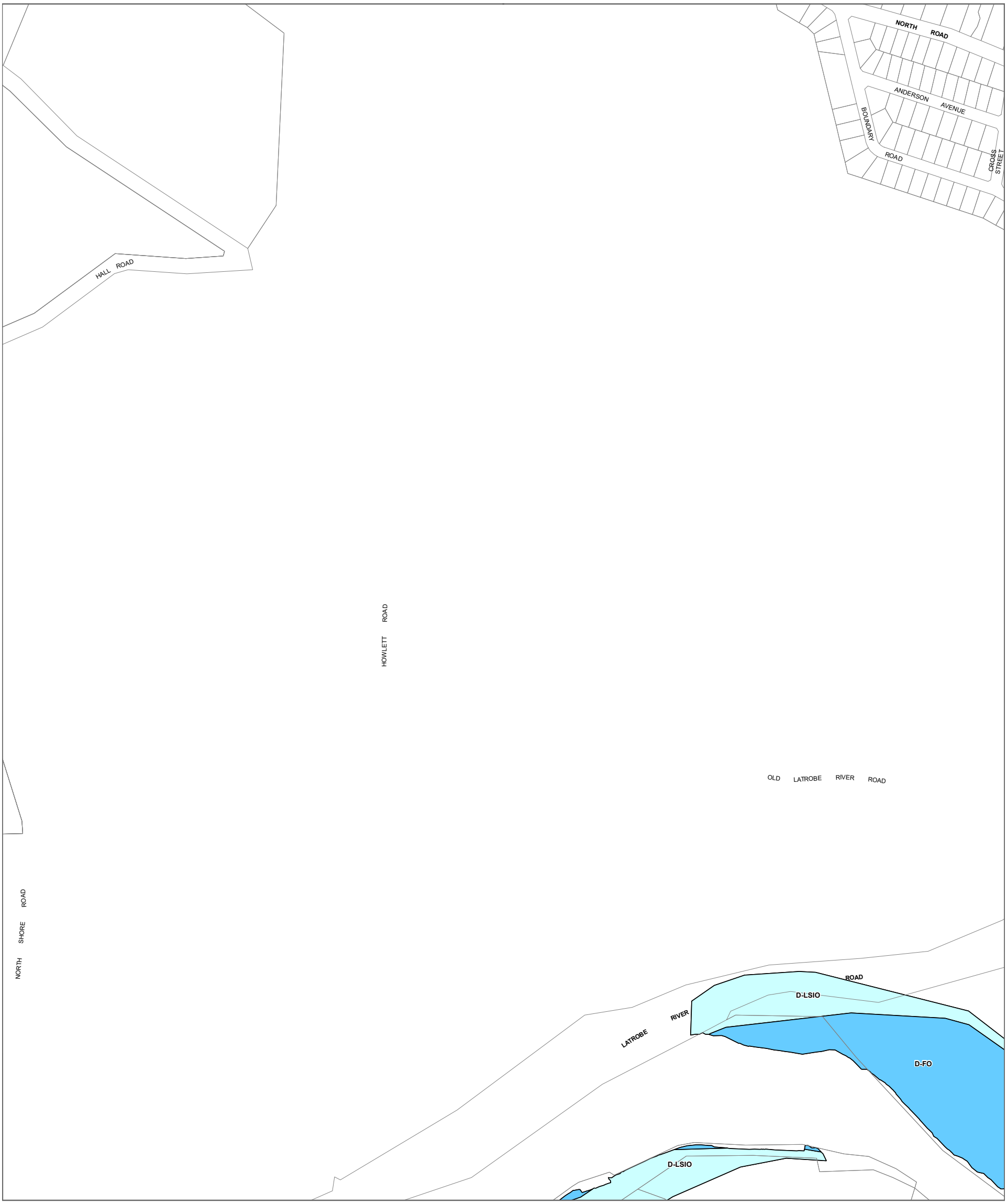

LEGEND

D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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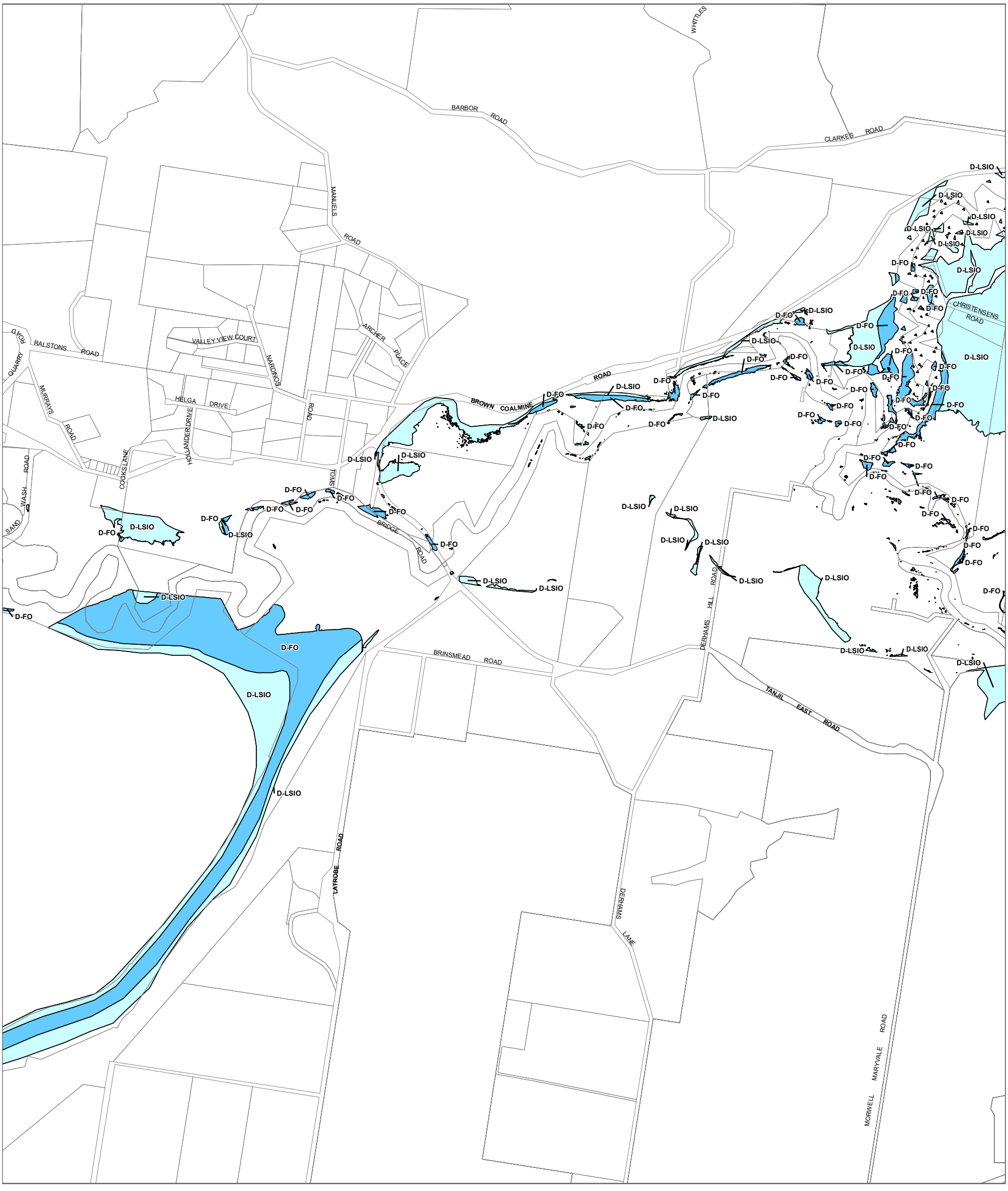

LEGEND

D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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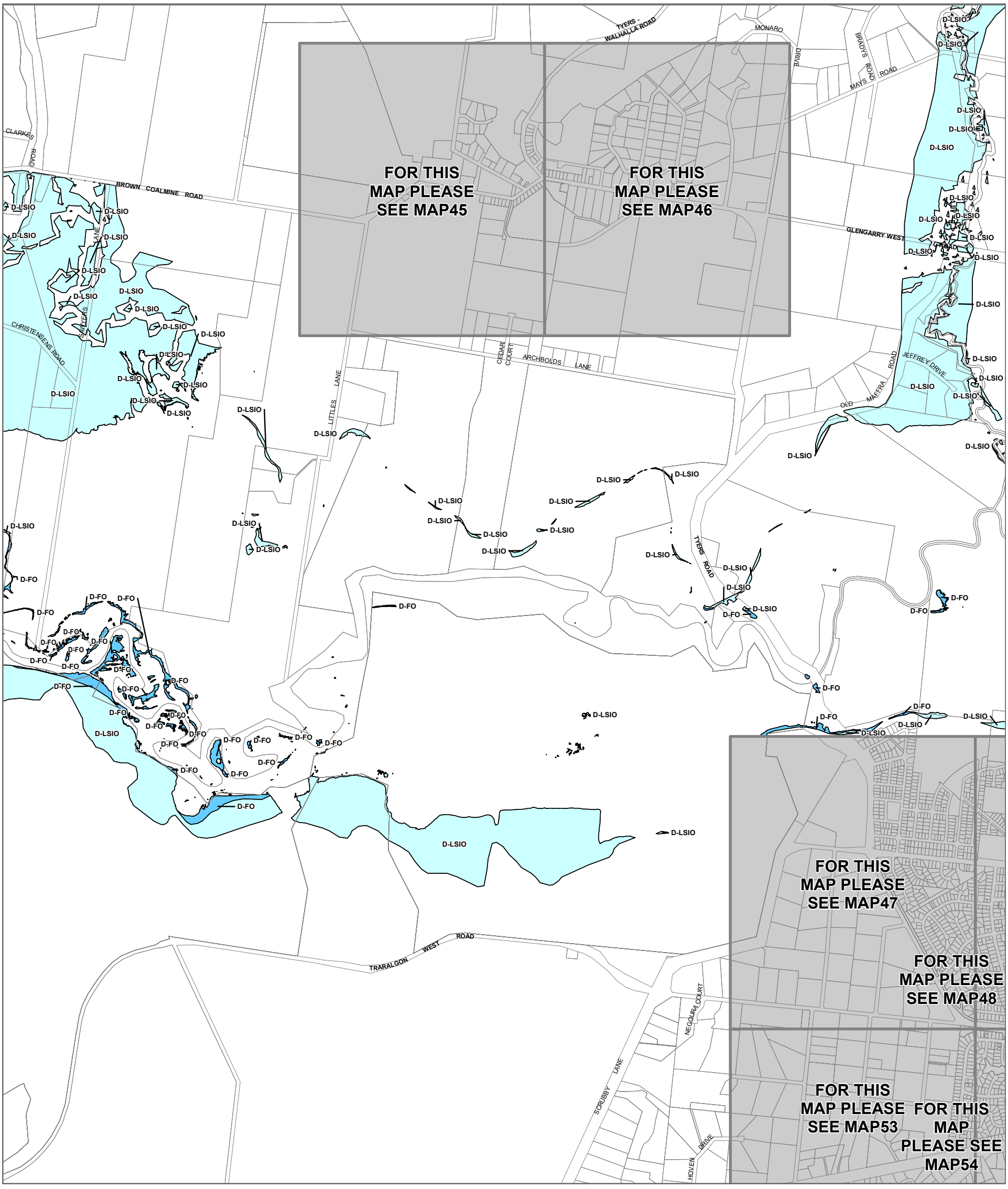

LEGEND

D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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D-FO - Area to be deleted from a Floodway Overlay

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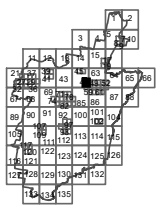

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 47LSIO-FO**

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D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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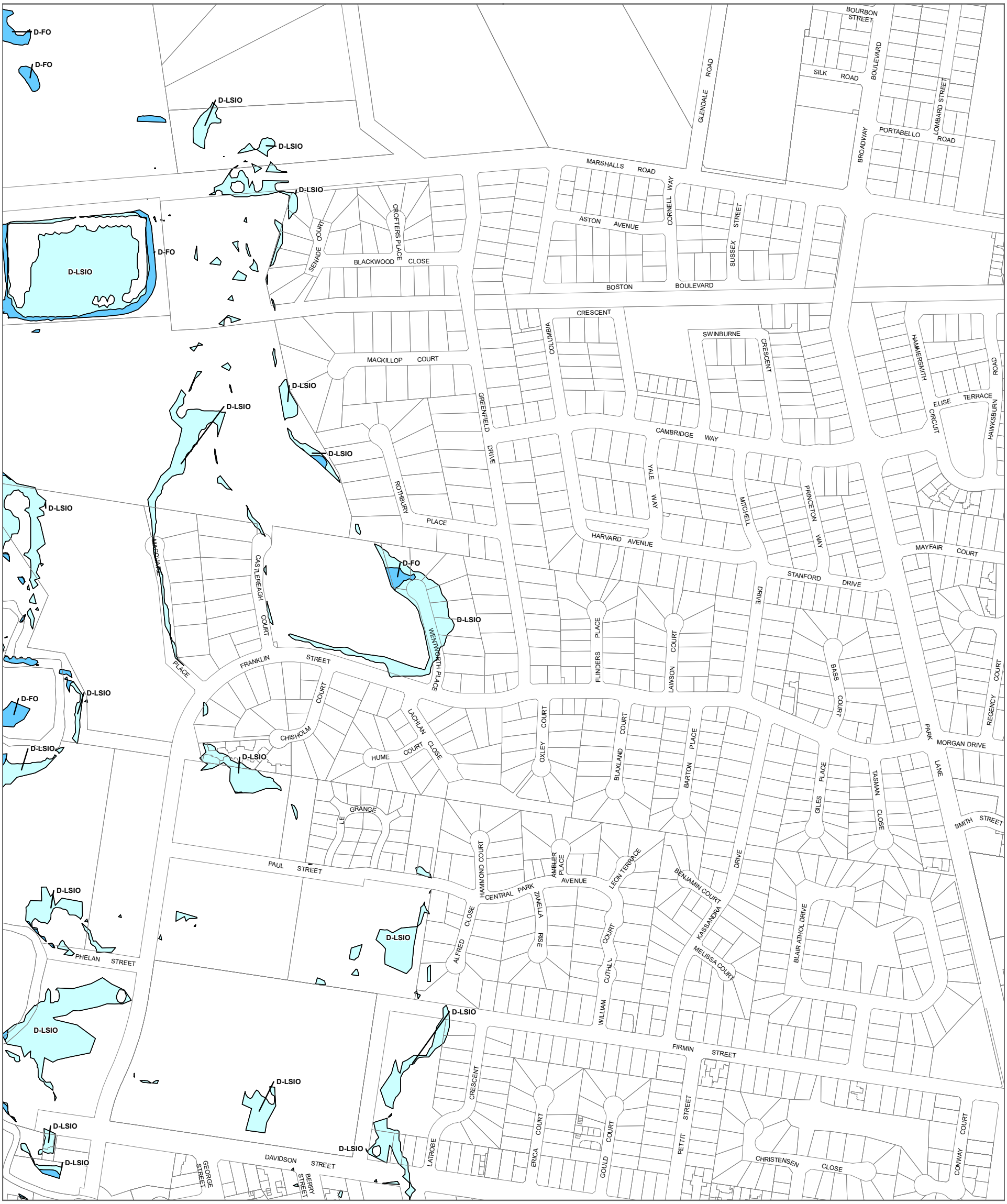

LEGEND

D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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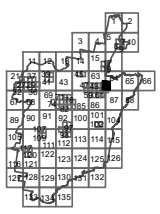

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 52LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

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- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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LATROBE PLANNING SCHEME - LOCAL PROVISION

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- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
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D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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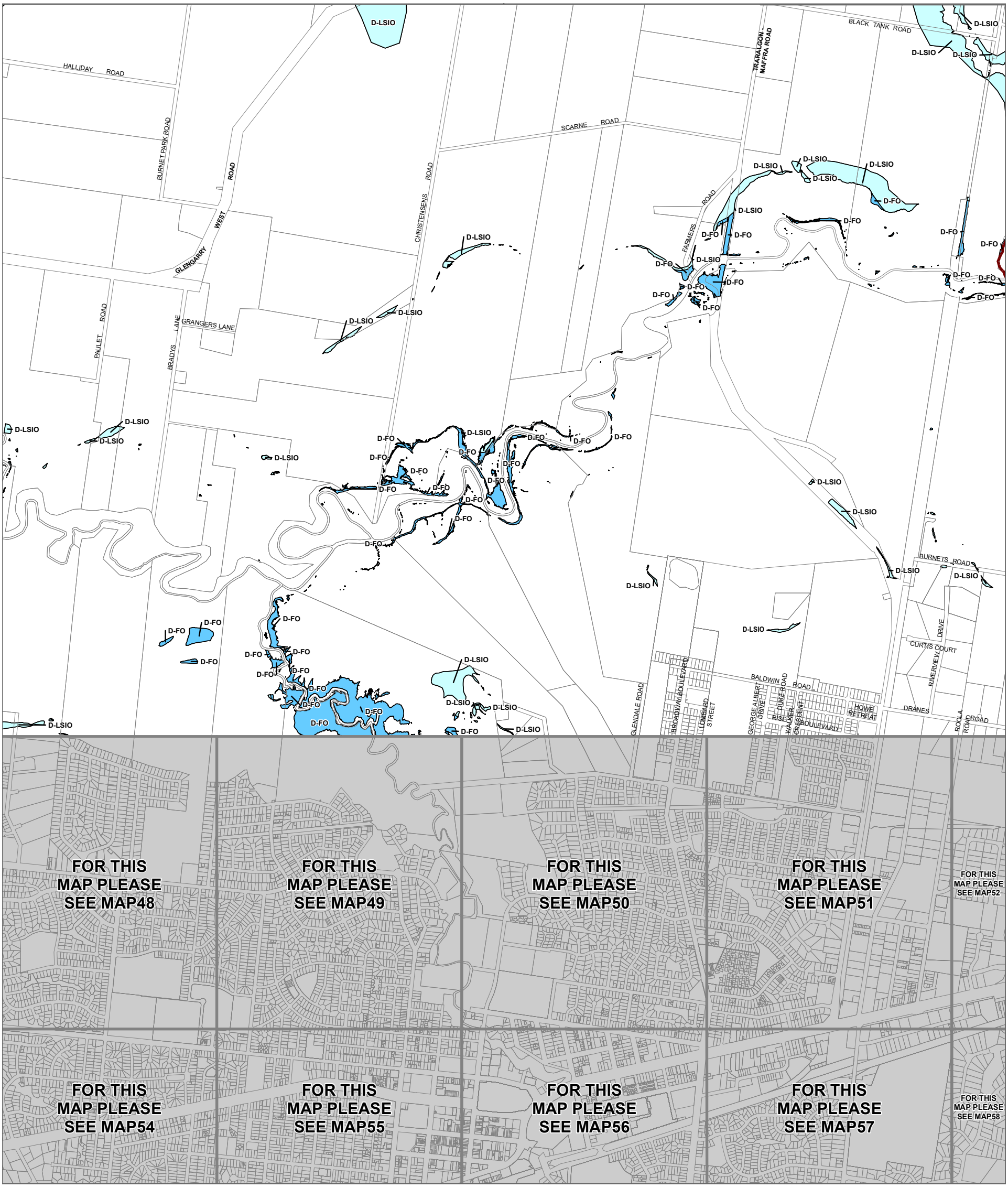

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D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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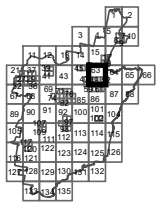

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 63LSIO-FO**

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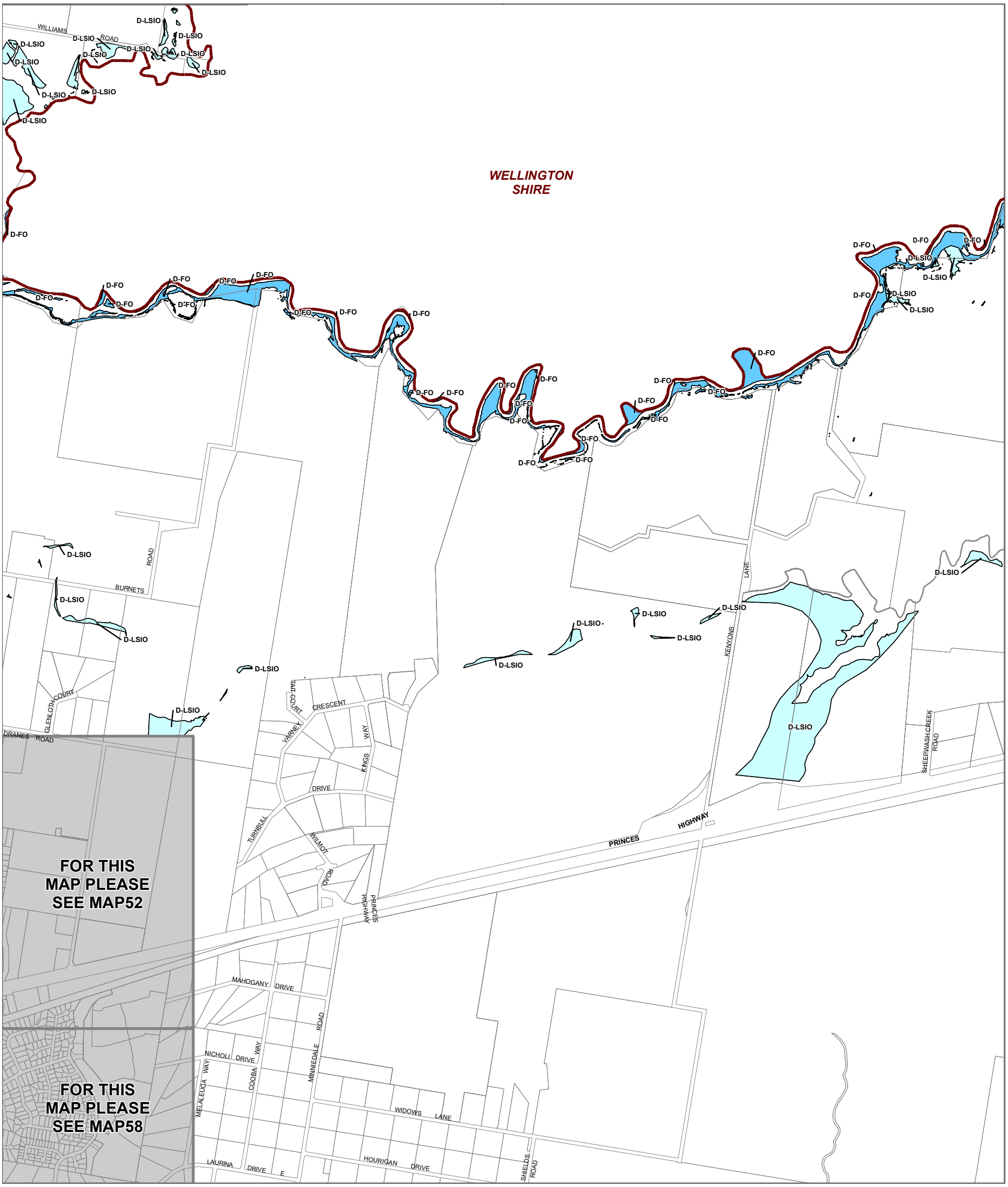

LEGEND

- D-FO - Area to be deleted from a Floodway Overlay
- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
- Municipal Boundary

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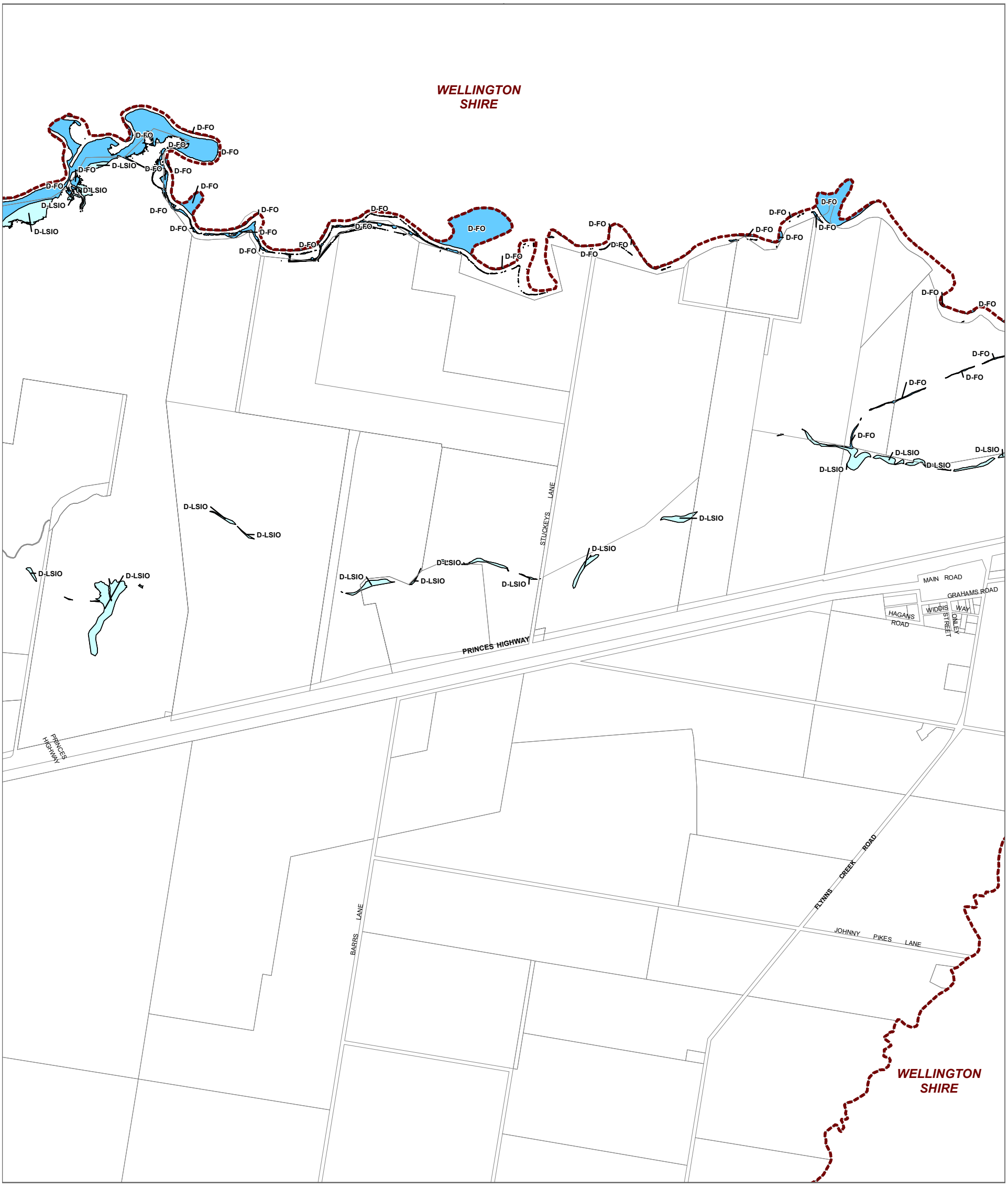
AMENDMENT C131latr



LEGEND

- D-FO - Area to be deleted from a Floodway Overlay
- D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
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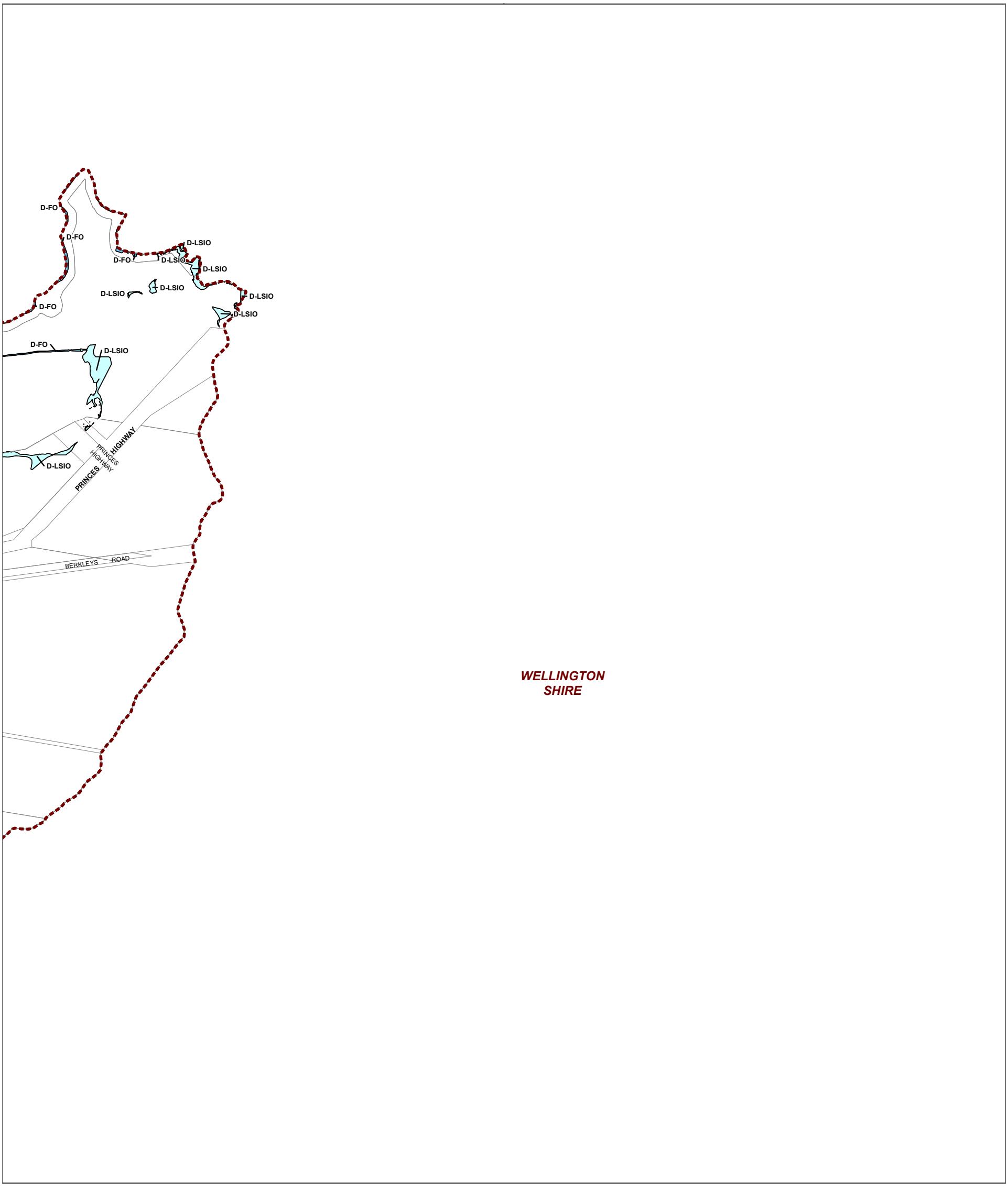
AMENDMENT C131latr



LEGEND
D-FO - Area to be deleted from a Floodway Overlay
D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay
Municipal Boundary

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LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

D-FO - Area to be deleted from a Floodway Overlay

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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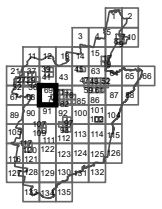

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 69LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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LATROBE PLANNING SCHEME - LOCAL PROVISION

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LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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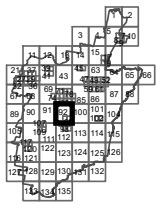

AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 92LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

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LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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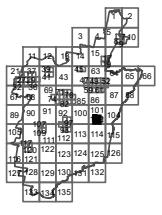
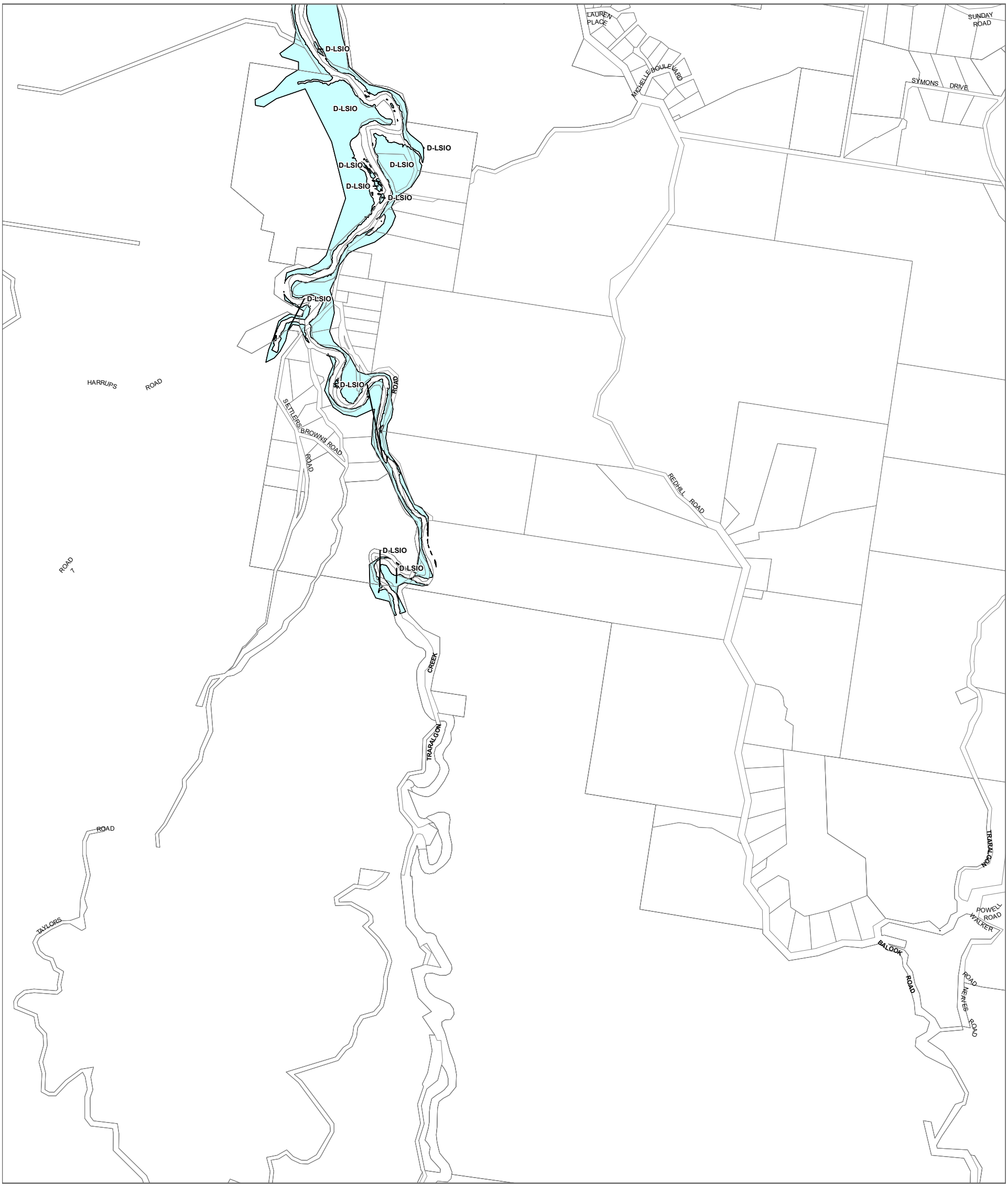


AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 102LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

D-LSIO - Area to be deleted from a Land Subject to Inundation Overlay

Municipal Boundary

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LATROBE PLANNING SCHEME - LOCAL PROVISION
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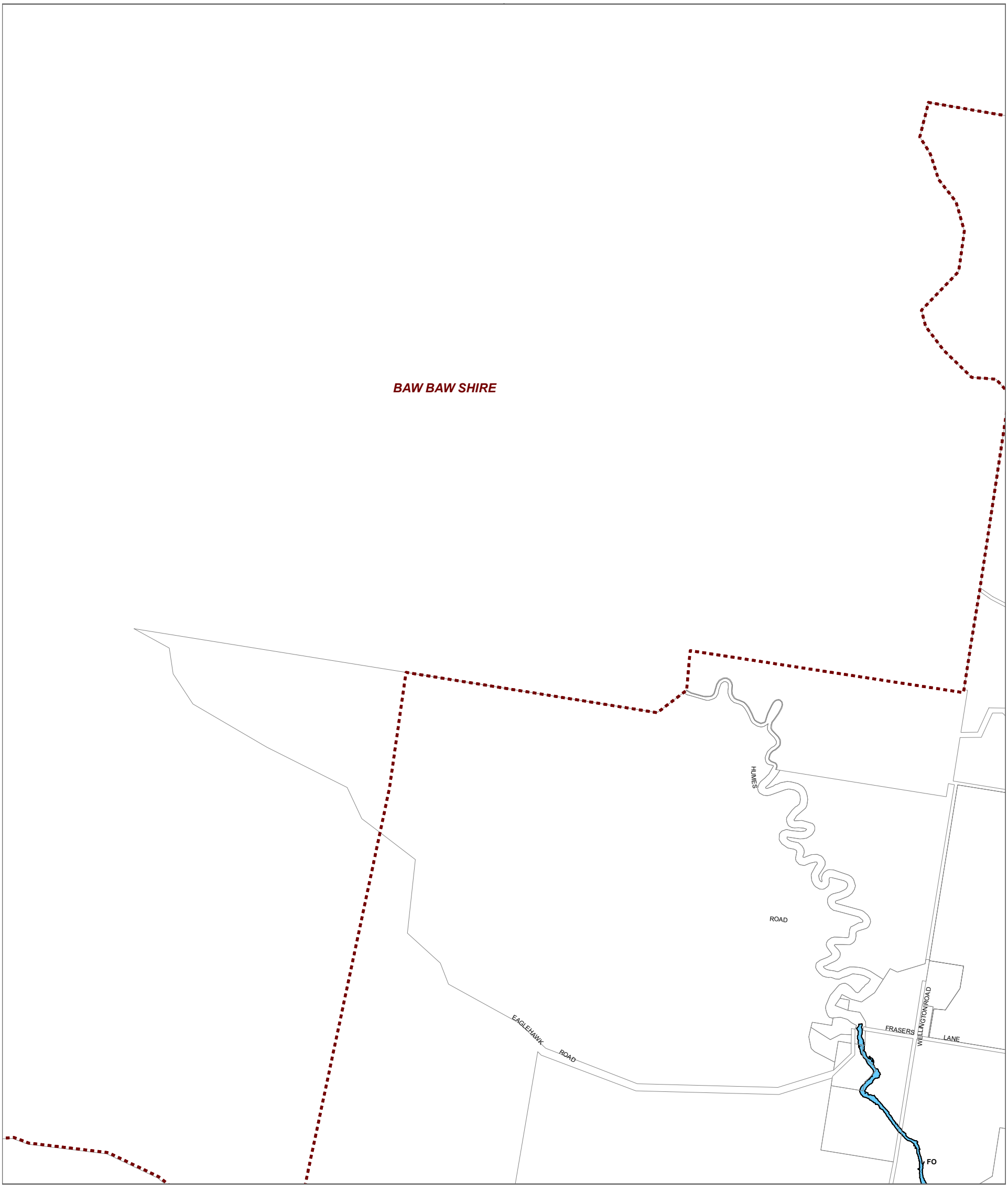

LEGEND

FO - Floodway Overlay

Municipal Boundary

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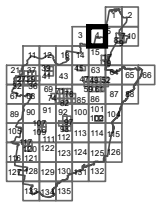
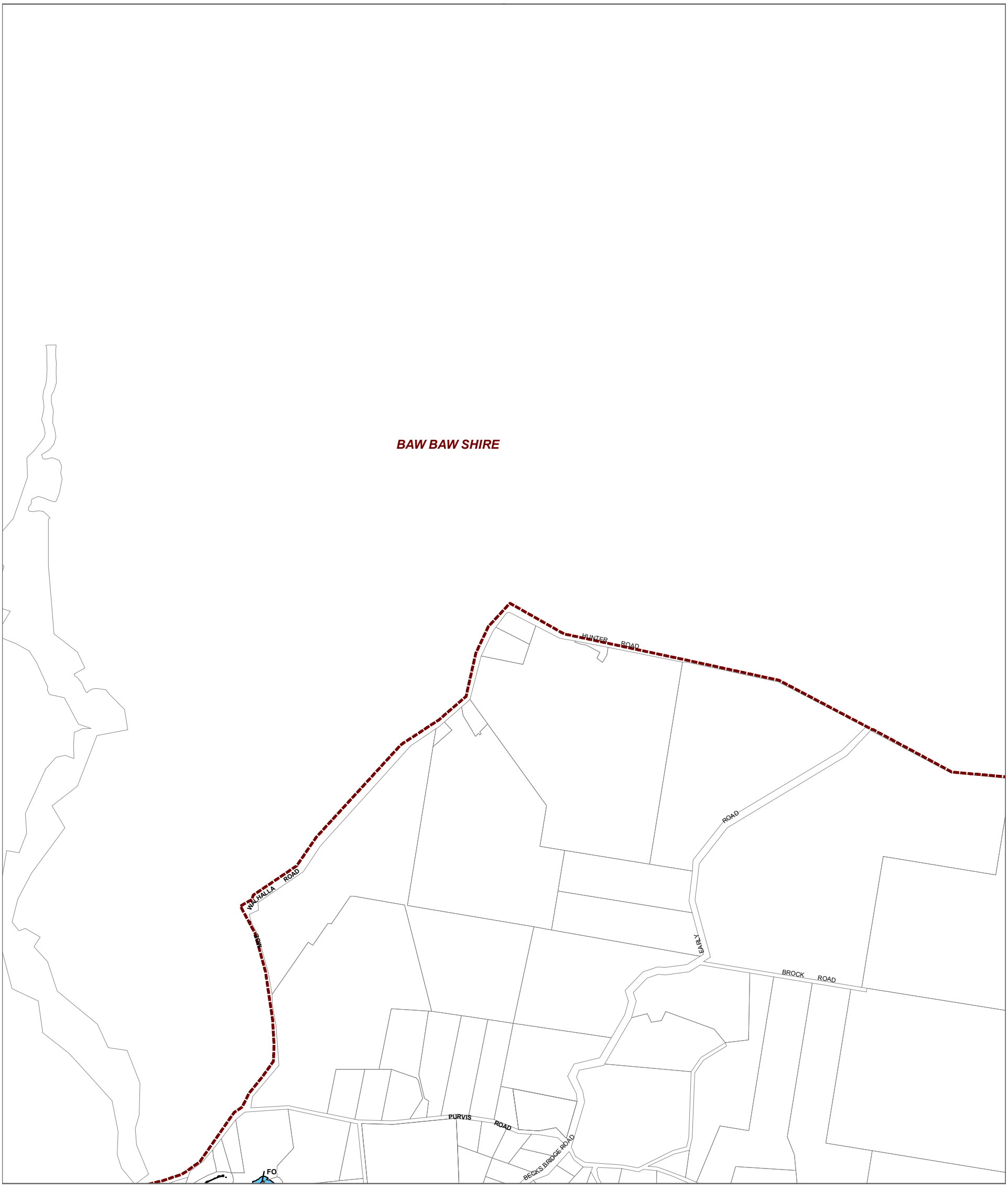


LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 4LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C131latr



LEGEND

FO - Floodway Overlay

Municipal Boundary

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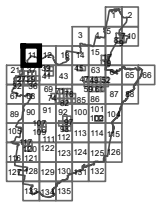

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 11LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

Municipal Boundary

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LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 14LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

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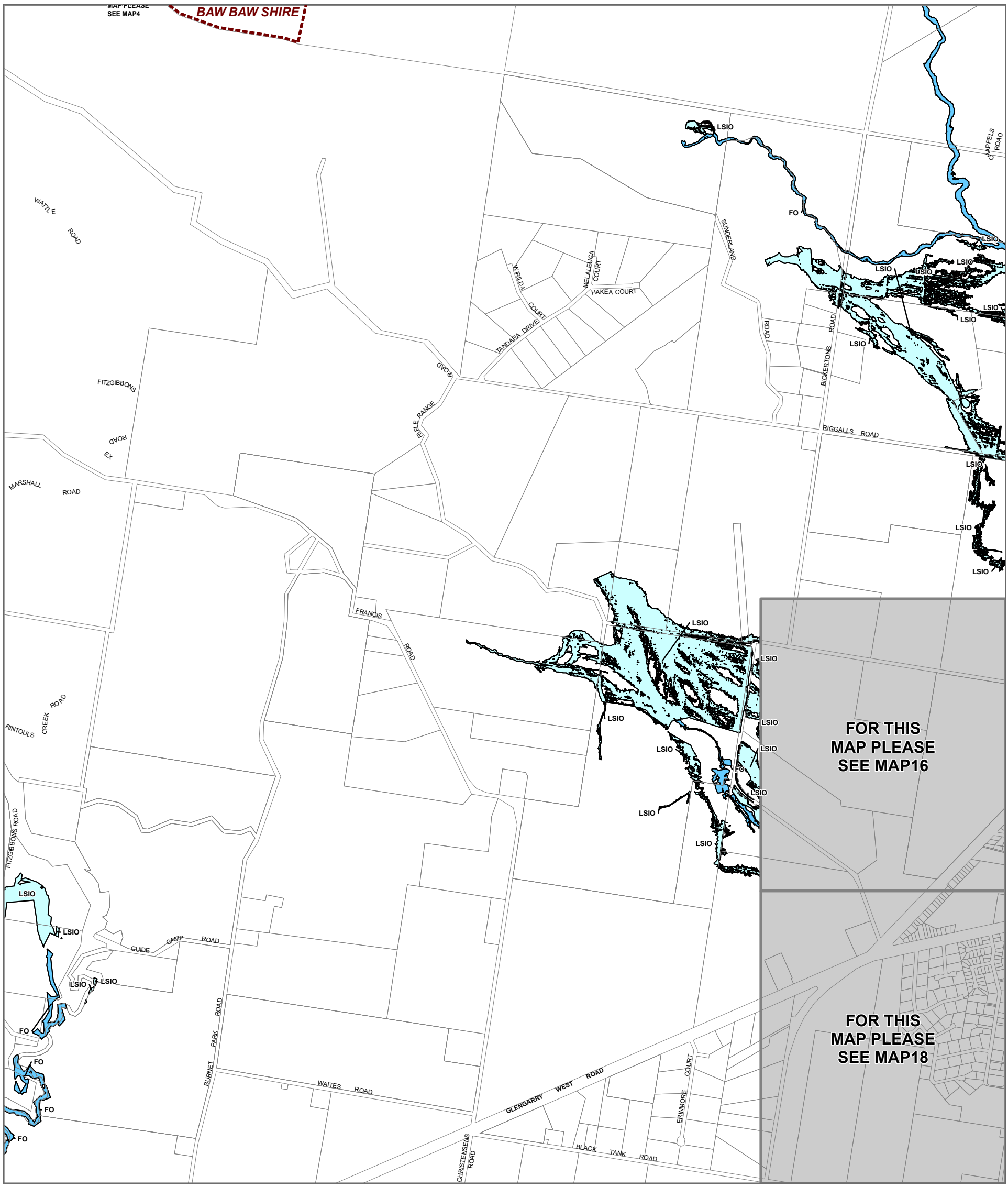

LEGEND

- FO - Floodway Overlay
- LSIO - Land Subject to Inundation Overlay
- Municipal Boundary

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LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 15LSIO-FO**

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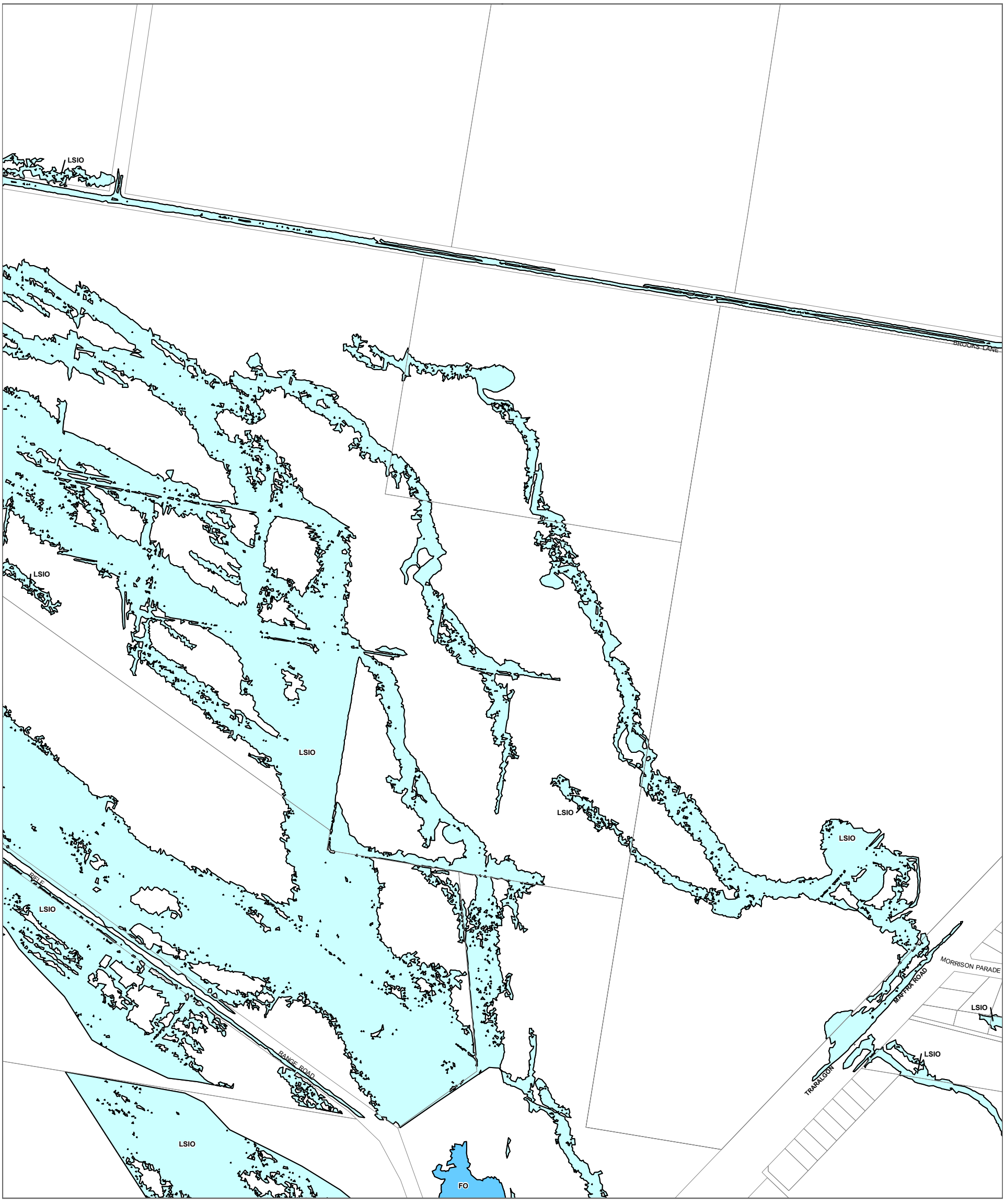

LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

Municipal Boundary

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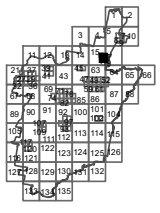

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 16LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

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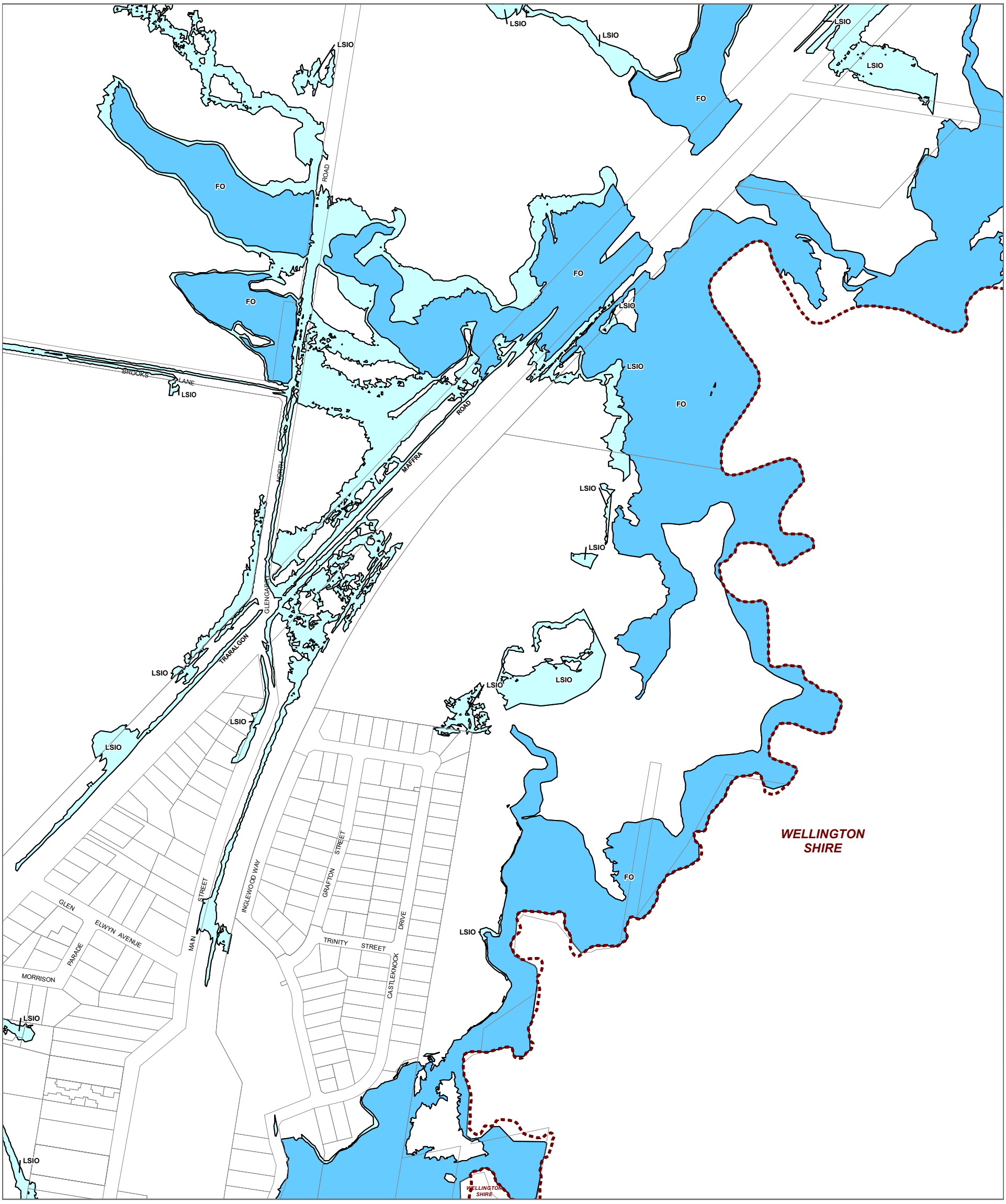

LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 17LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

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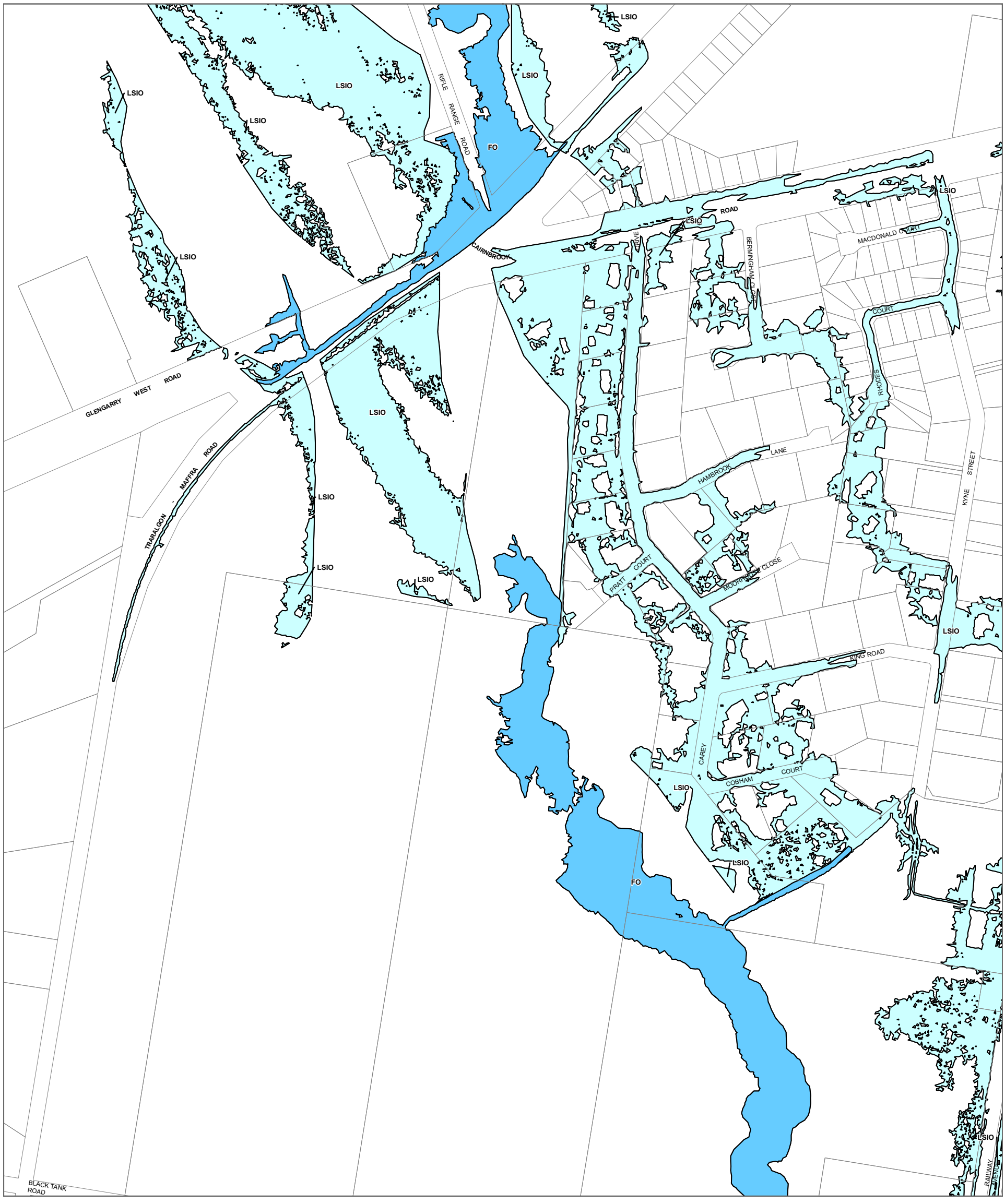

LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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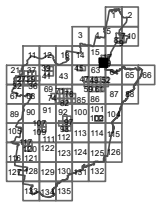
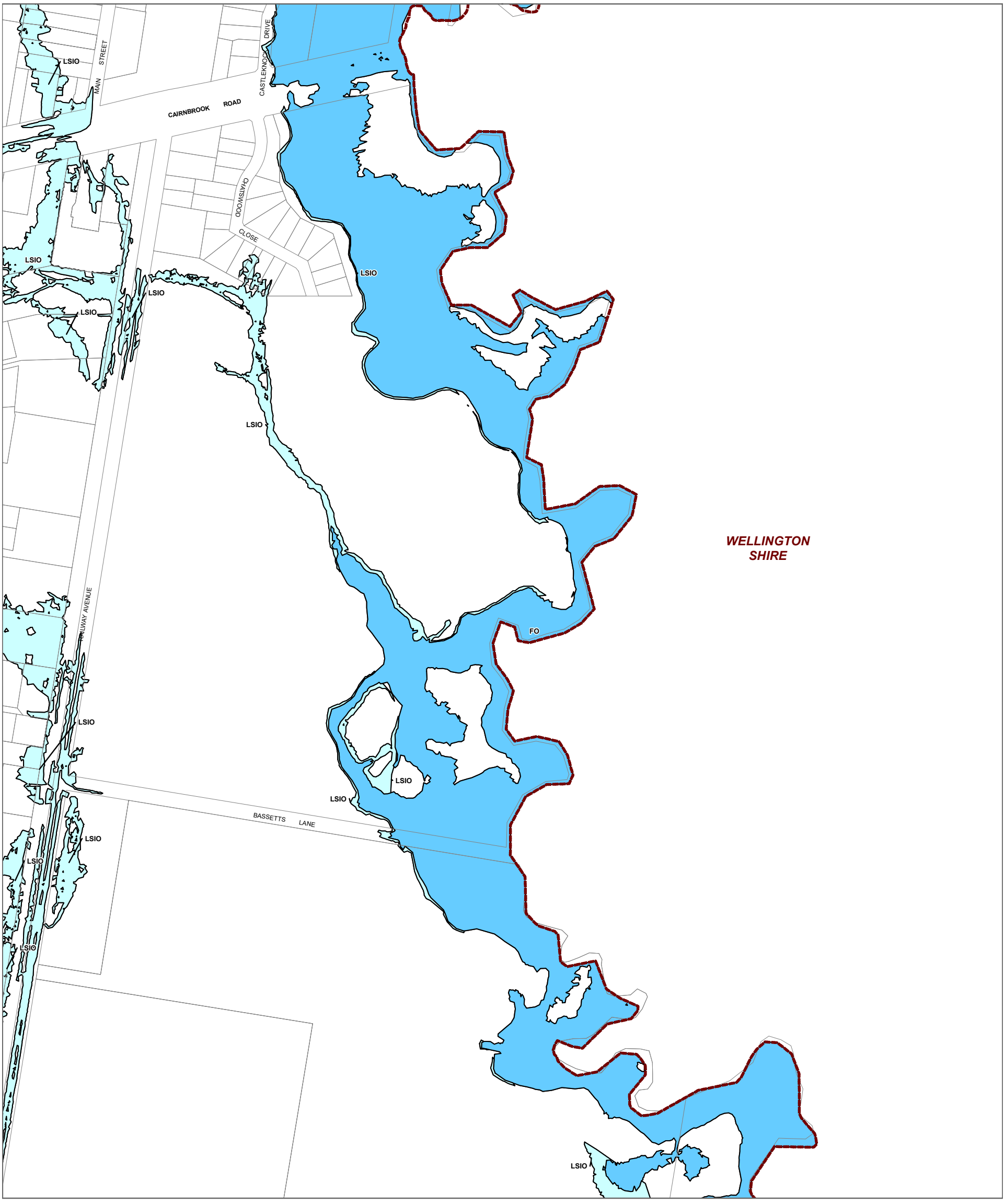


LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 18LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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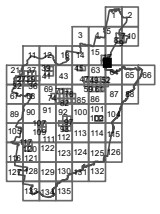
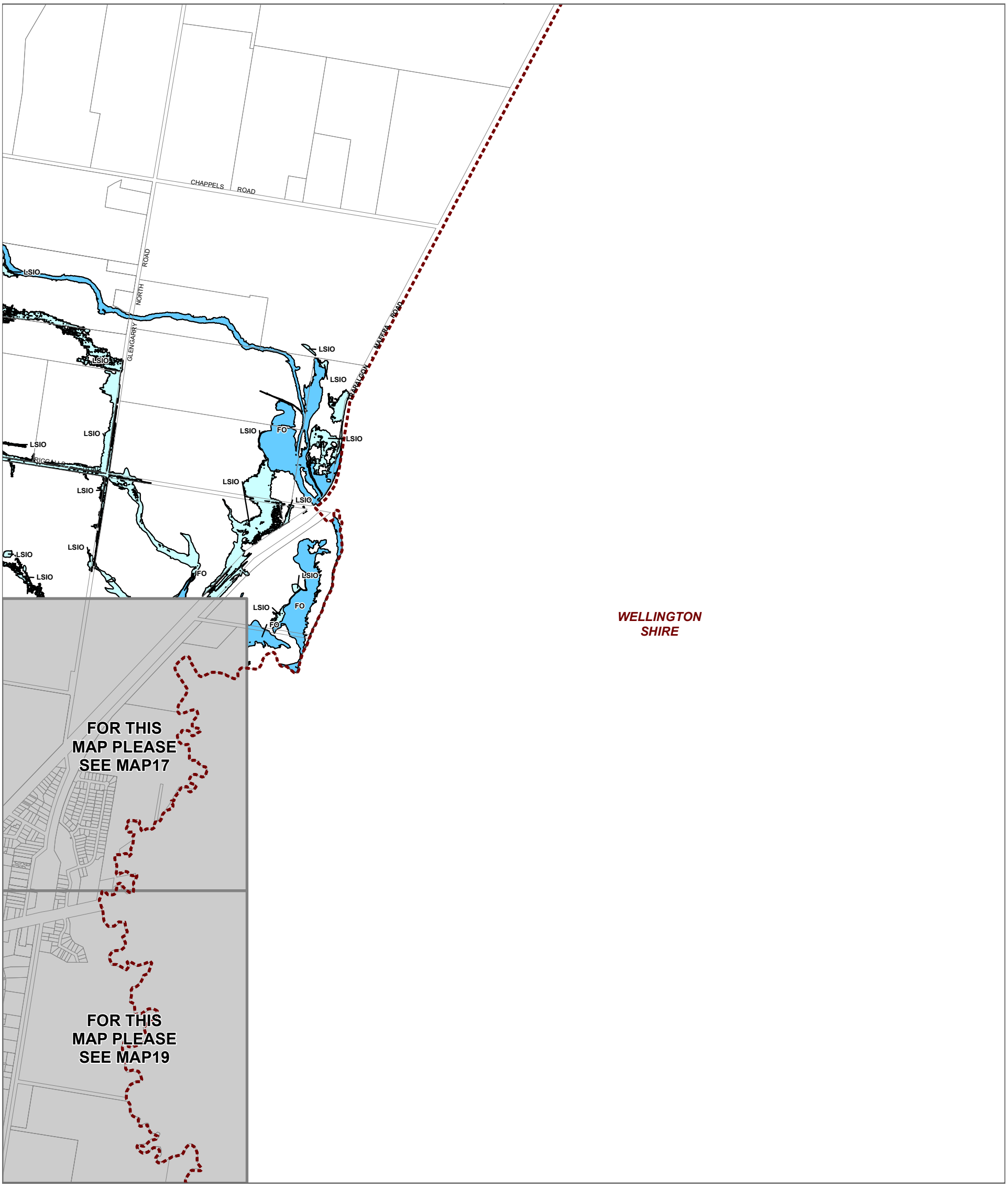


LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 19LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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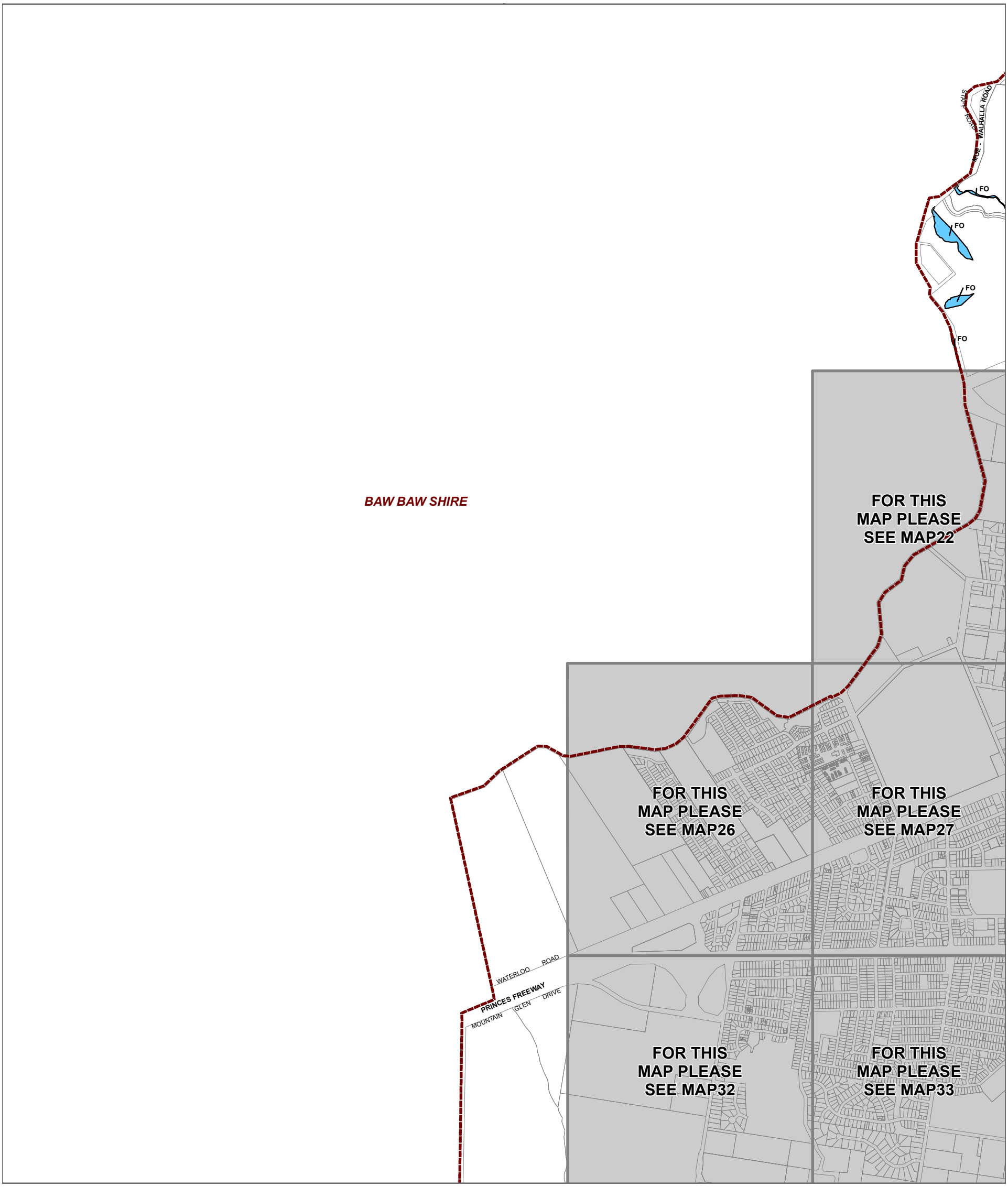

LEGEND

FO - Floodway Overlay

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LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 21LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

FO - Floodway Overlay

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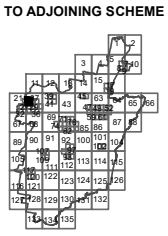

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 23LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

FO - Floodway Overlay

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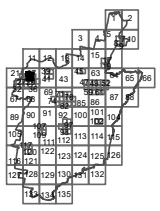

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 24LSIO-FO**

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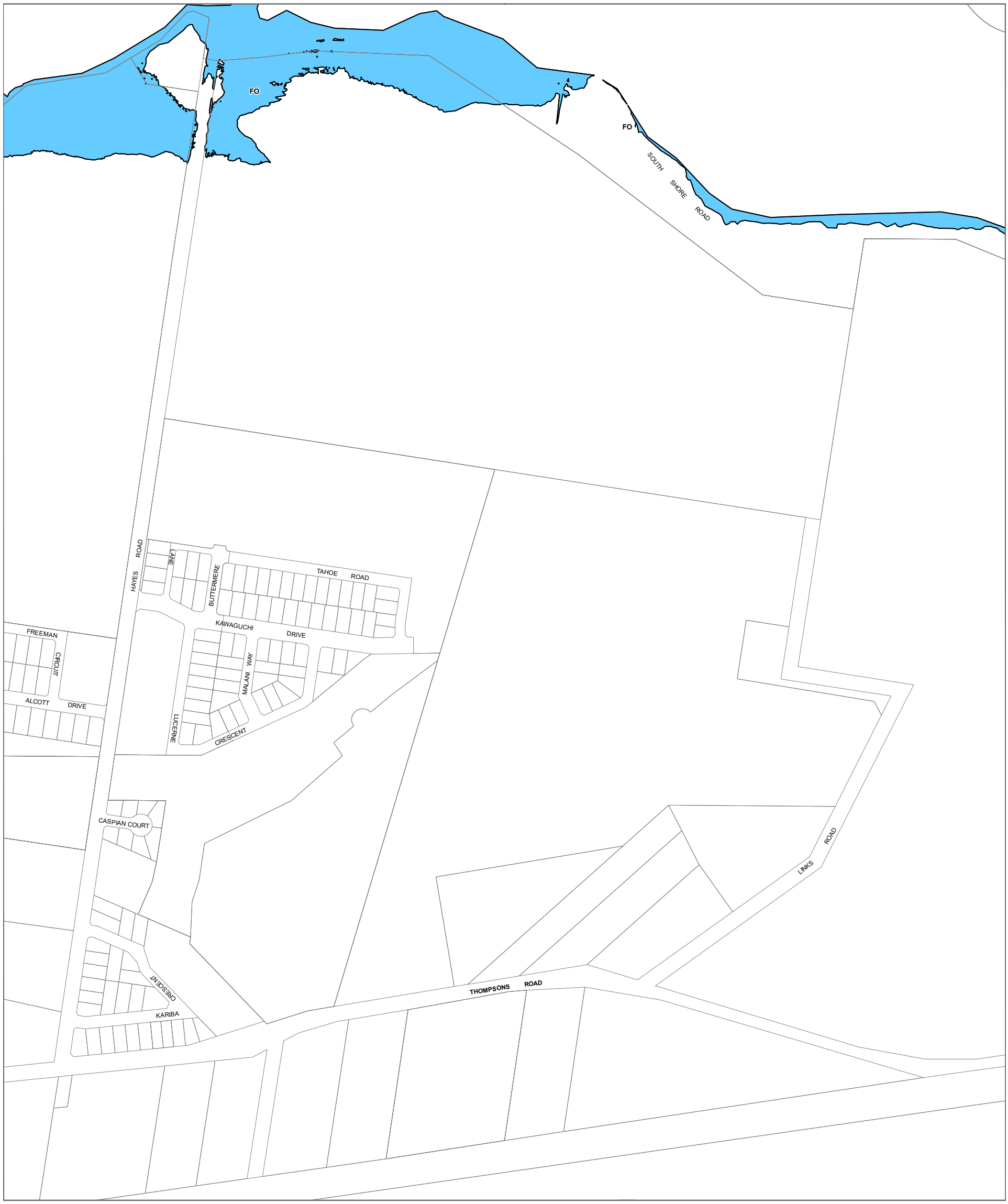

LEGEND

FO - Floodway Overlay

Municipal Boundary

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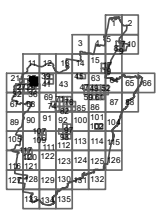

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 25LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

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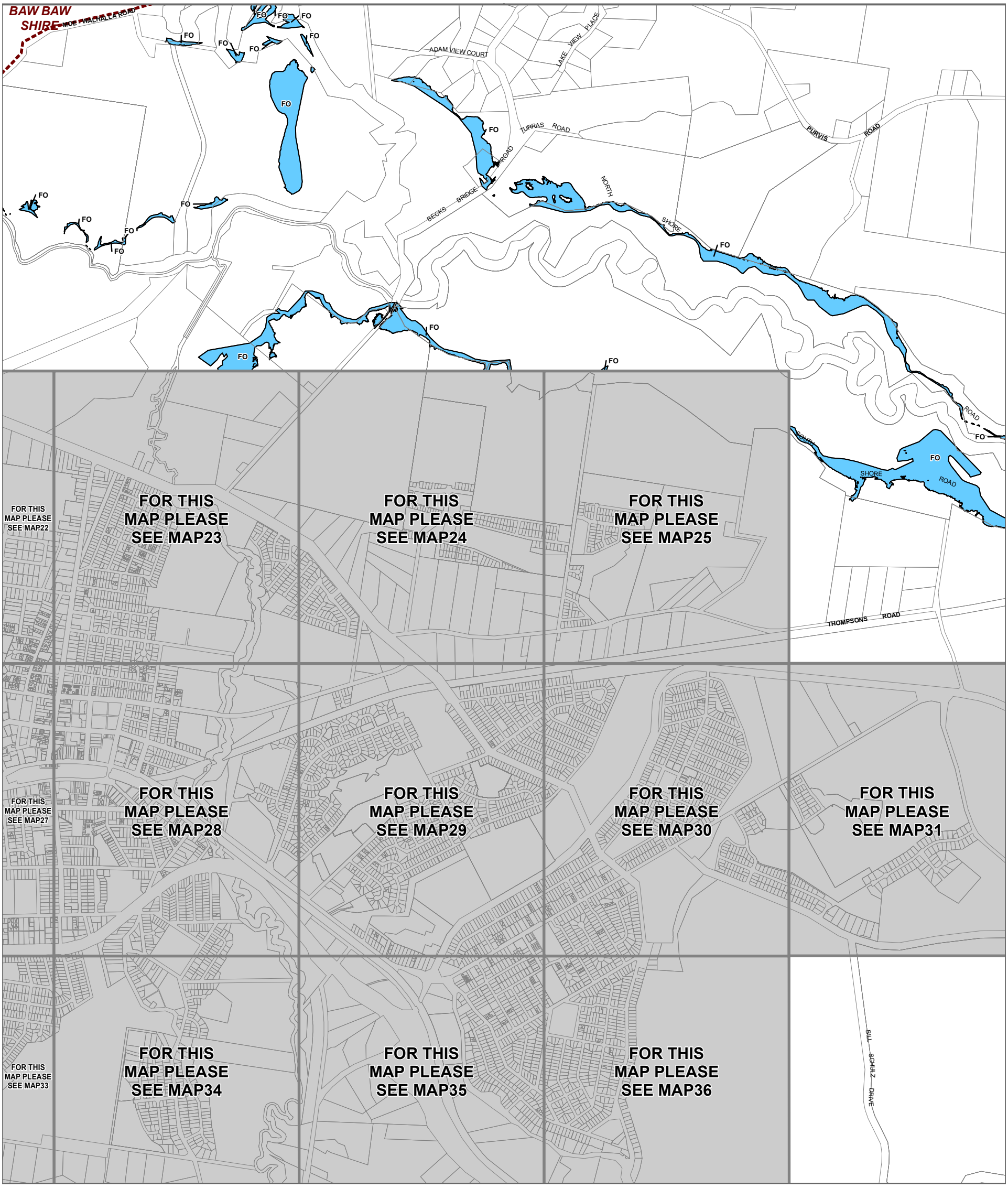

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FO - Floodway Overlay

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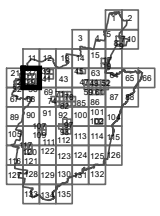

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 37LSIO-FO**

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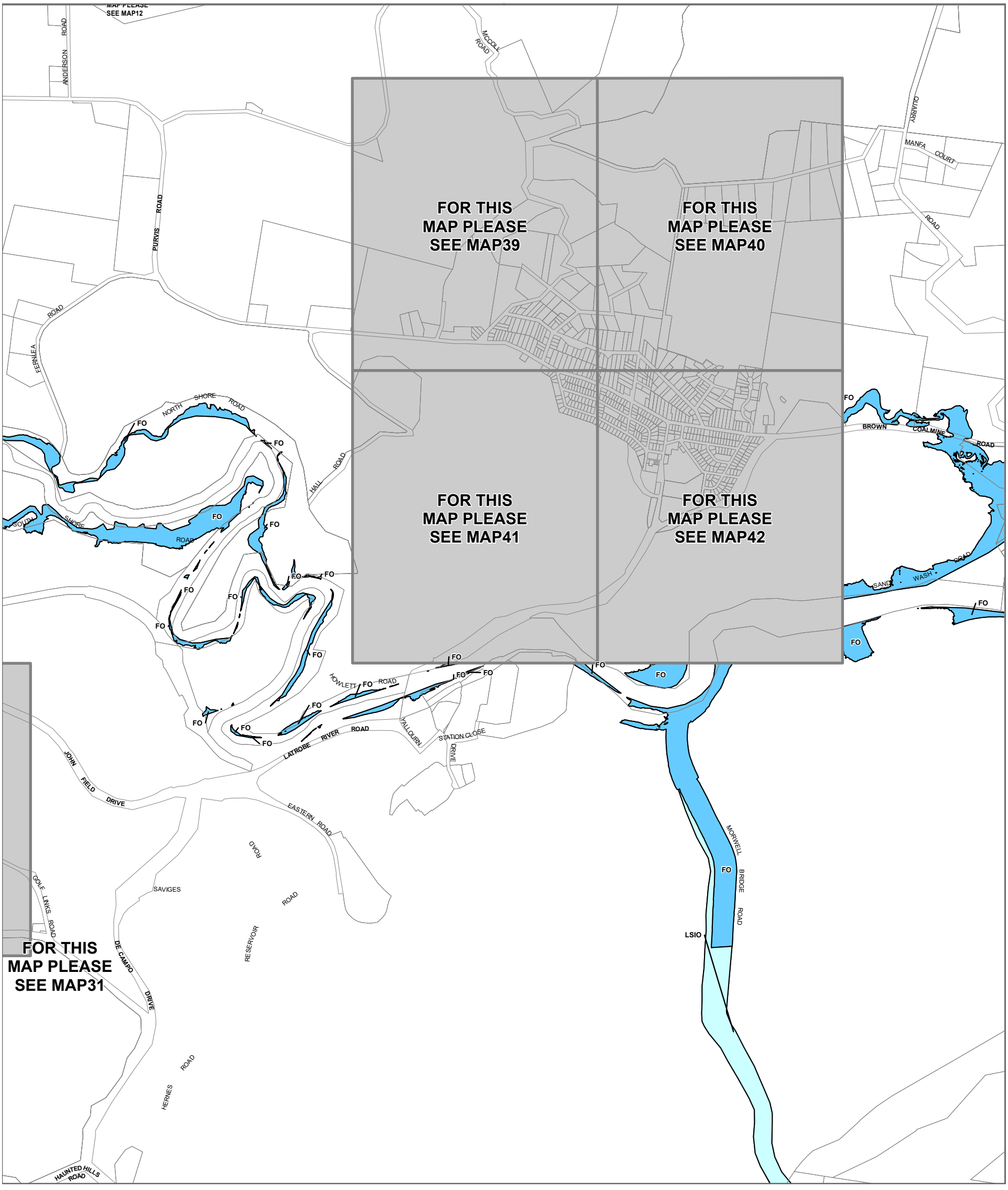

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FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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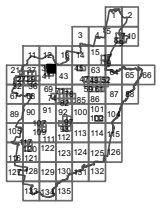

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 40LSIO-FO**

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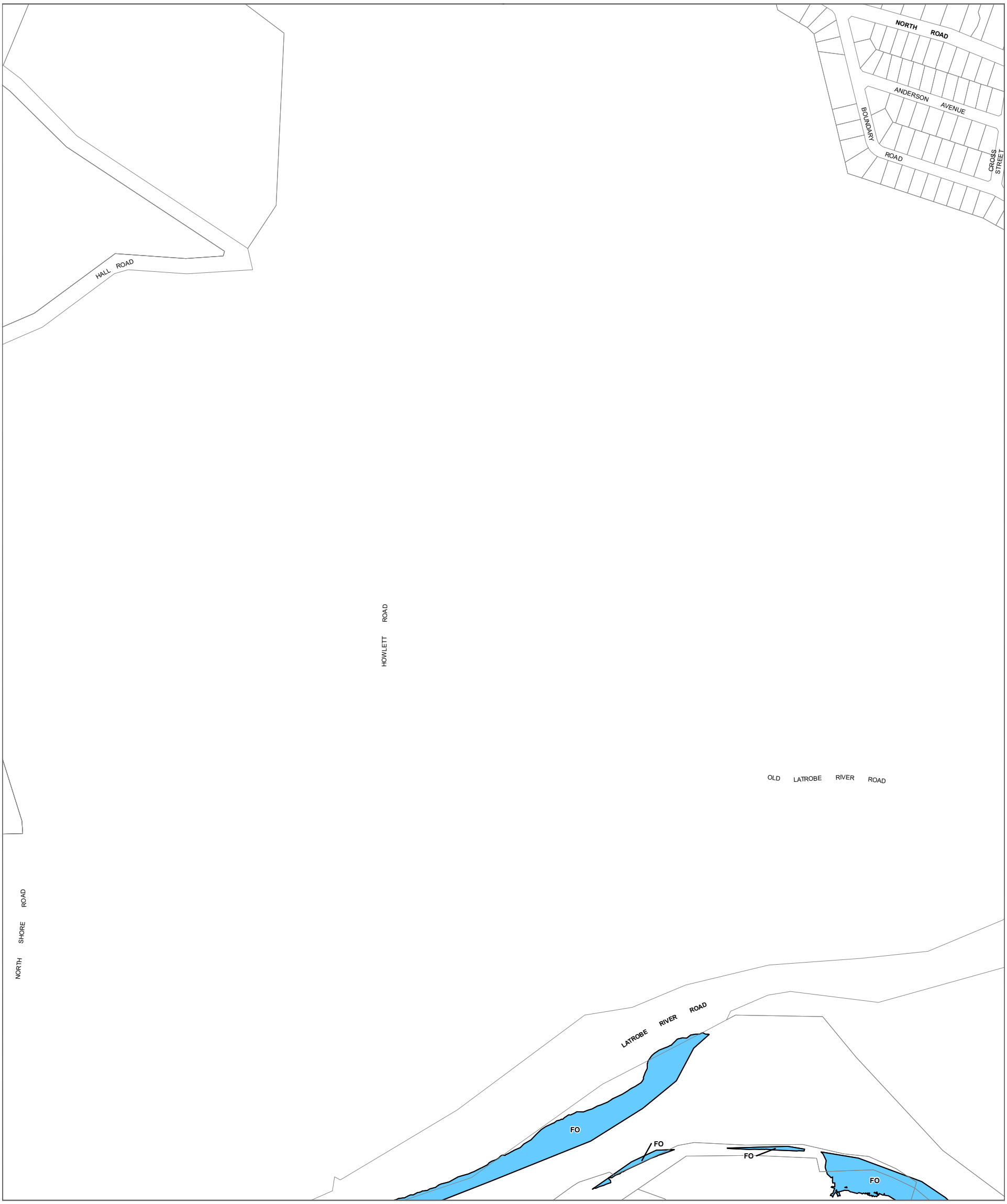

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FO - Floodway Overlay

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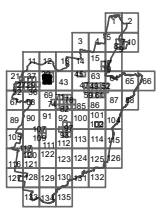

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 41LSIO-FO**

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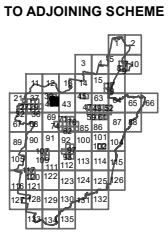

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 42LSIO-FO**

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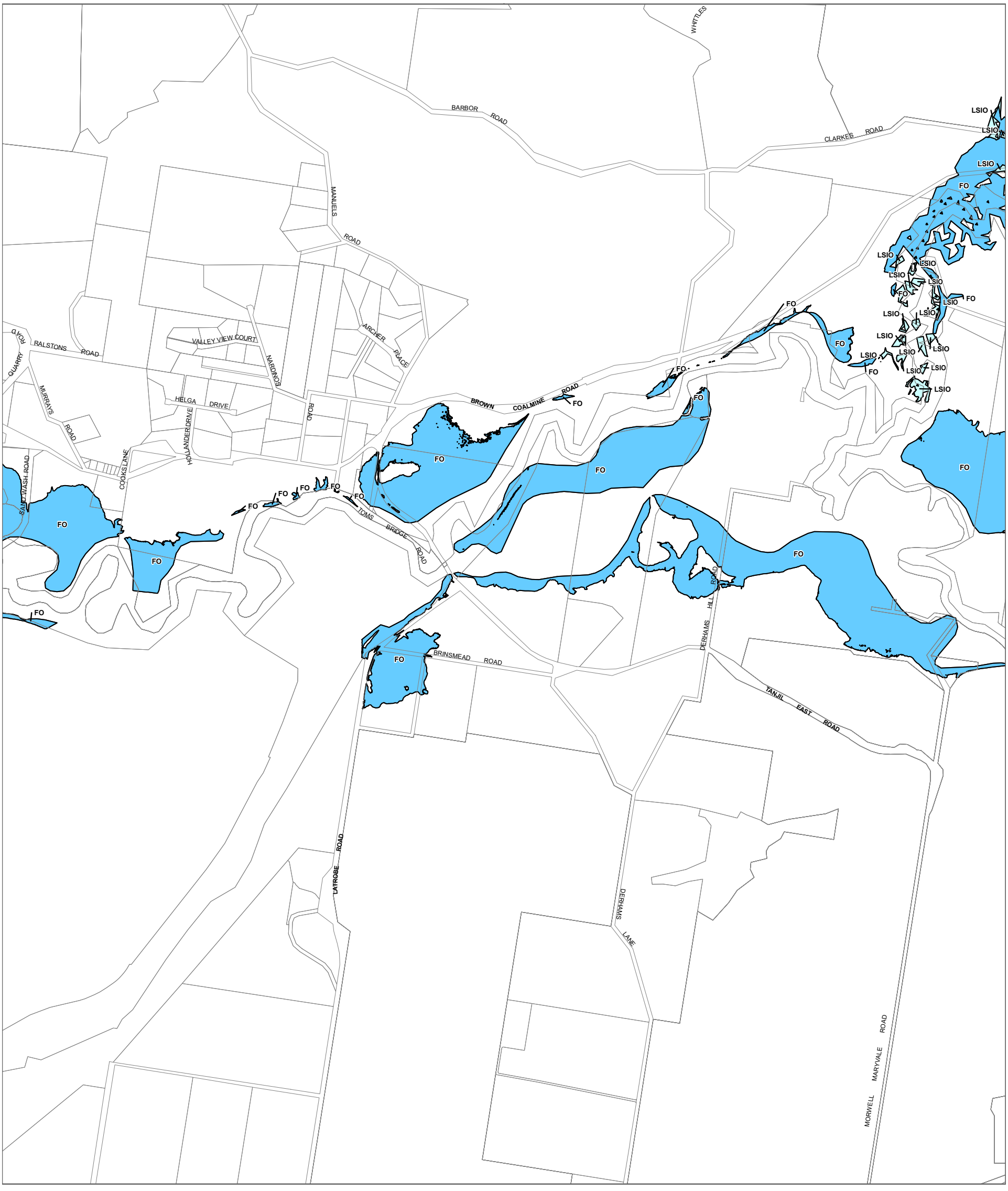

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FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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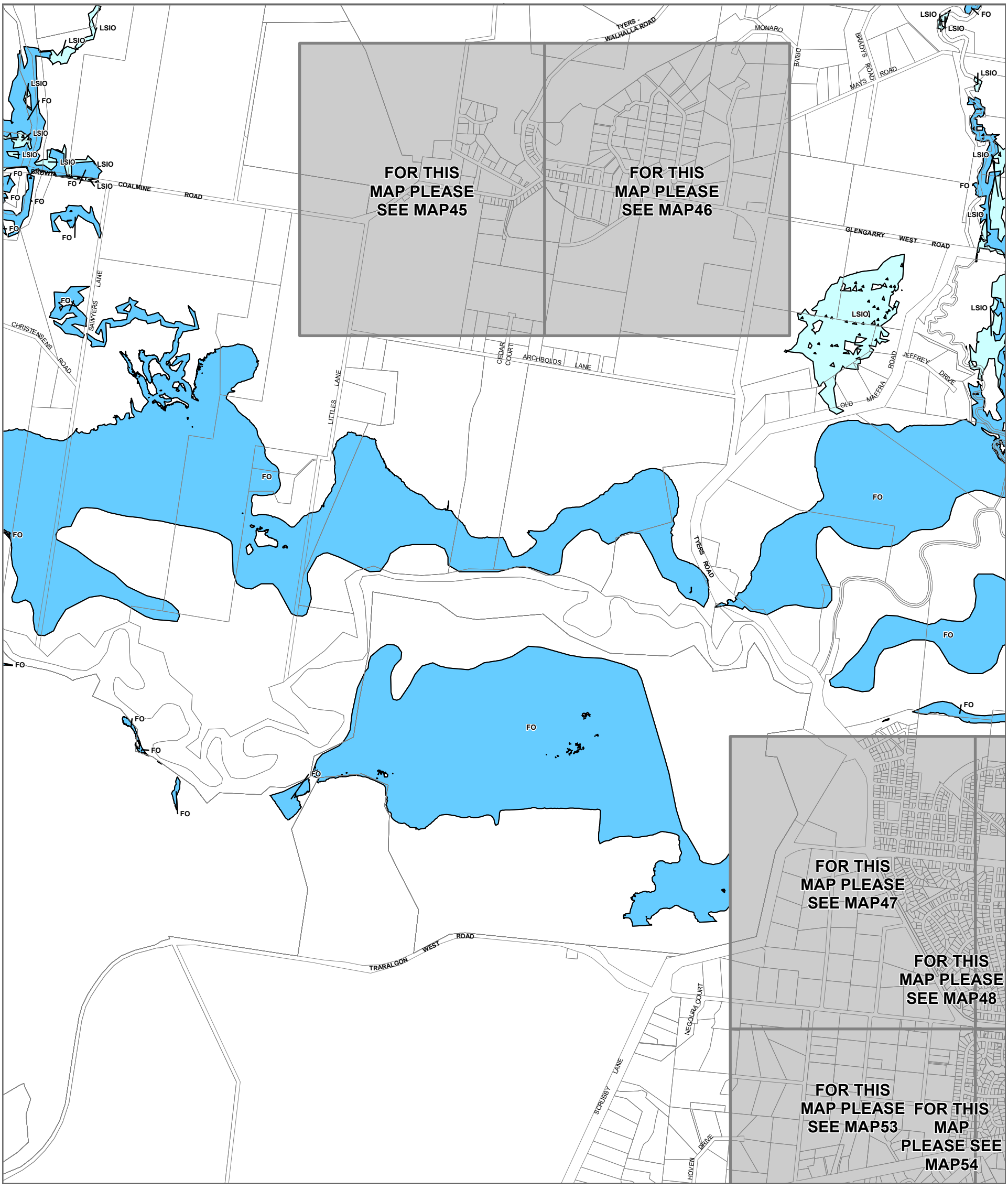

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FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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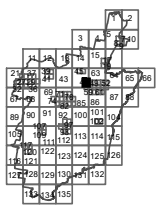

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 47LSIO-FO**

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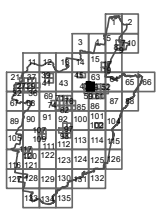

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 48LSIO-FO**

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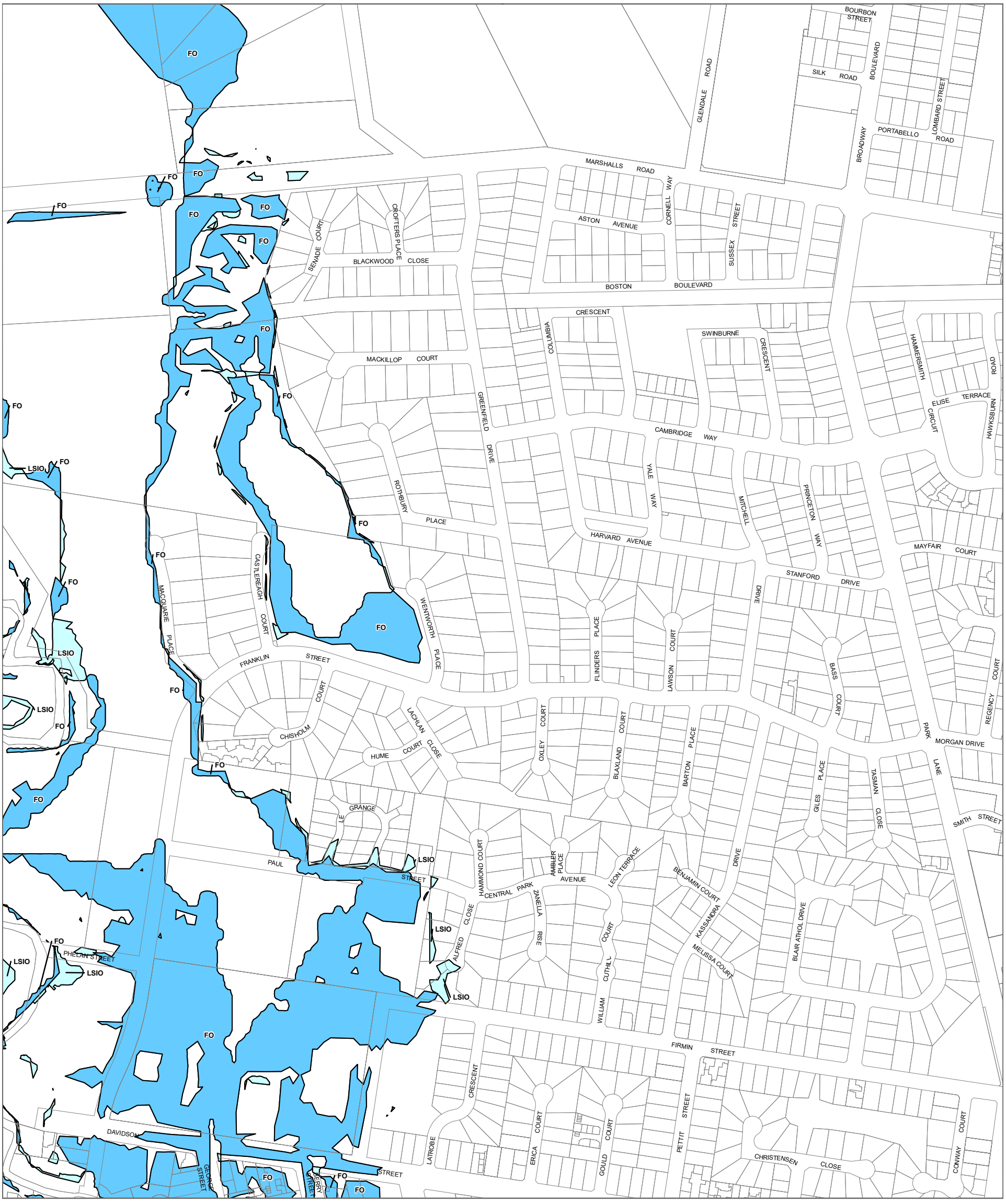

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LSIO - Land Subject to Inundation Overlay

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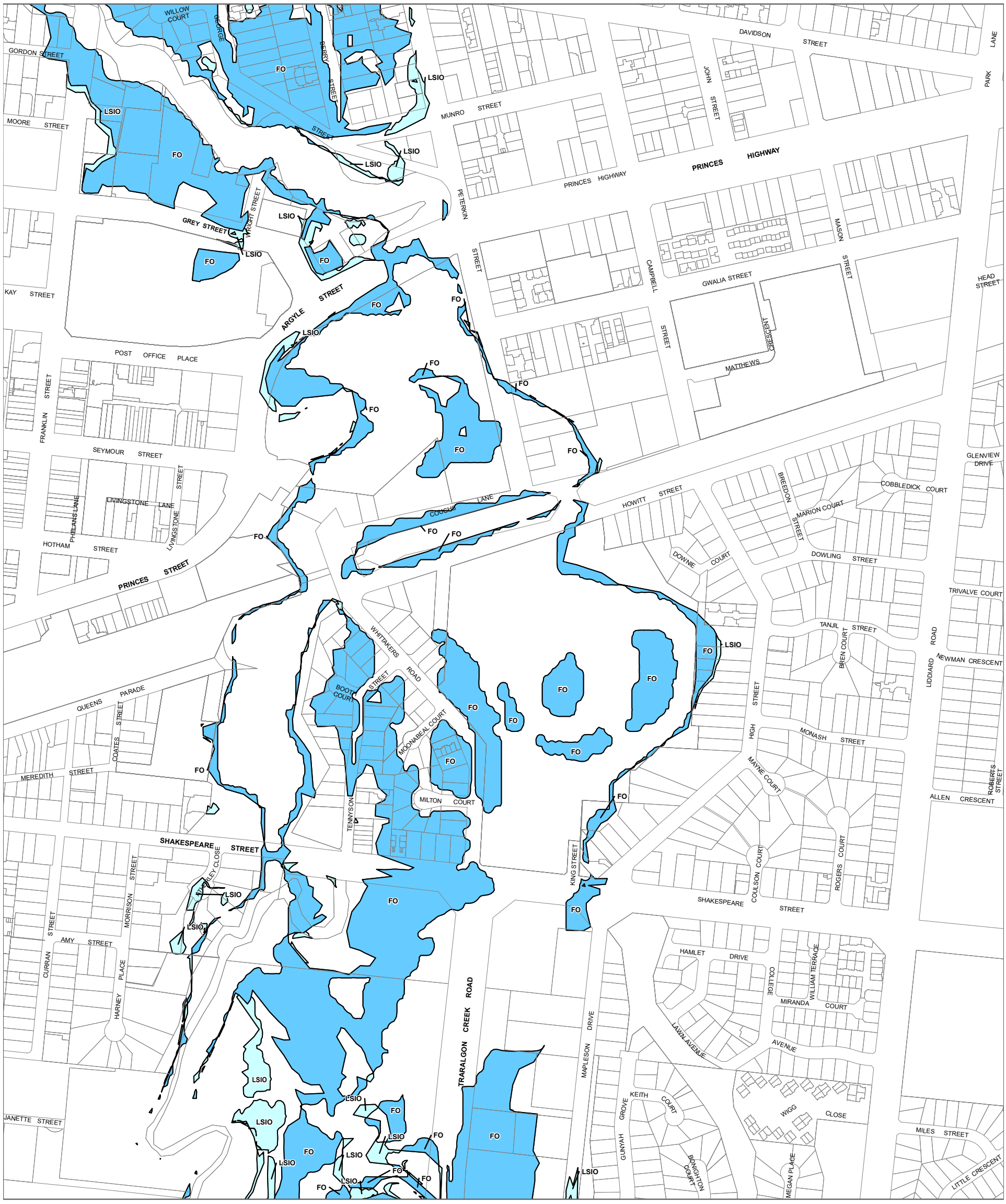

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LSIO - Land Subject to Inundation Overlay

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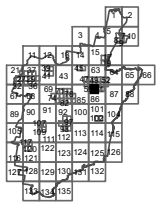

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 60LSIO-FO**

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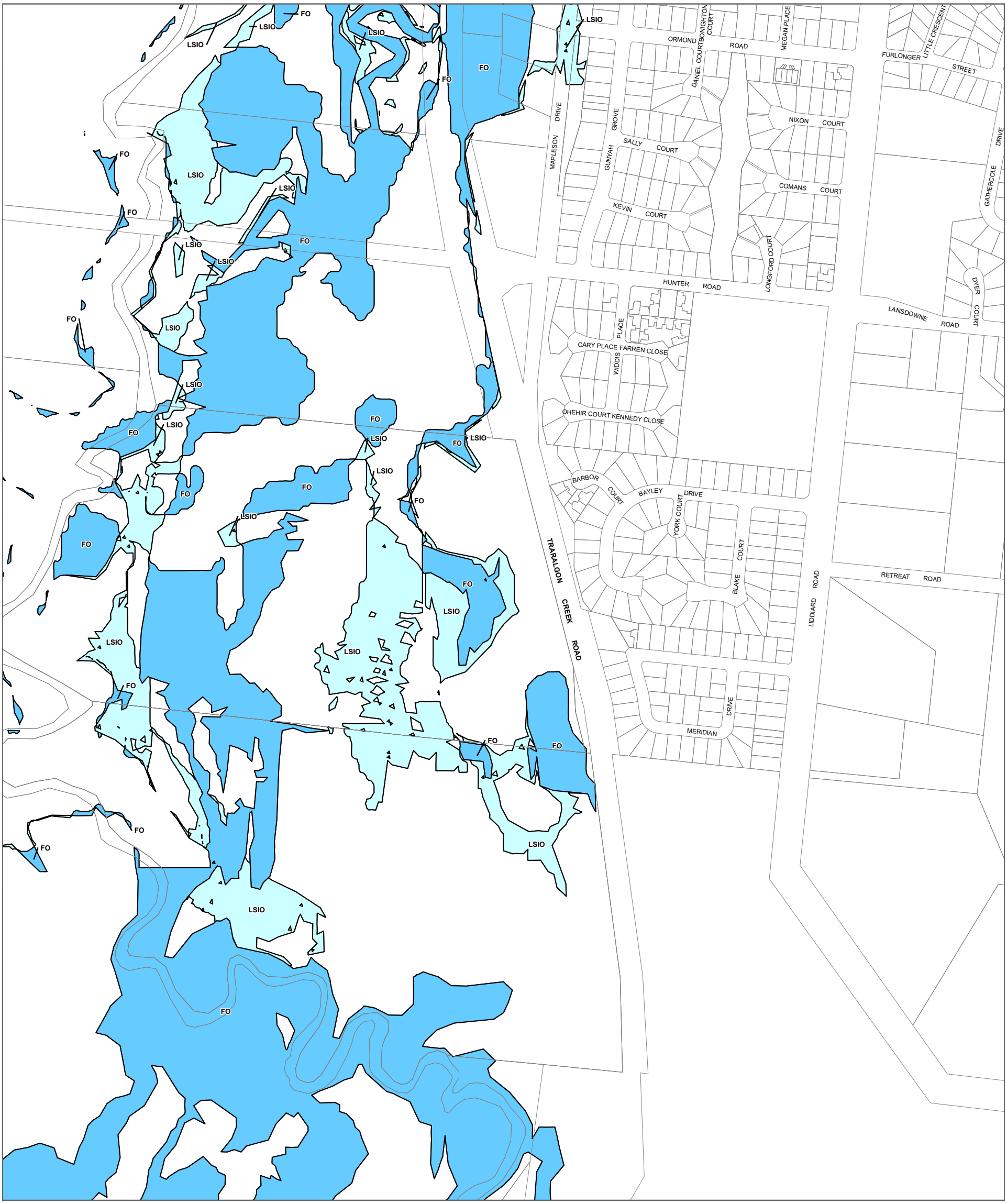

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FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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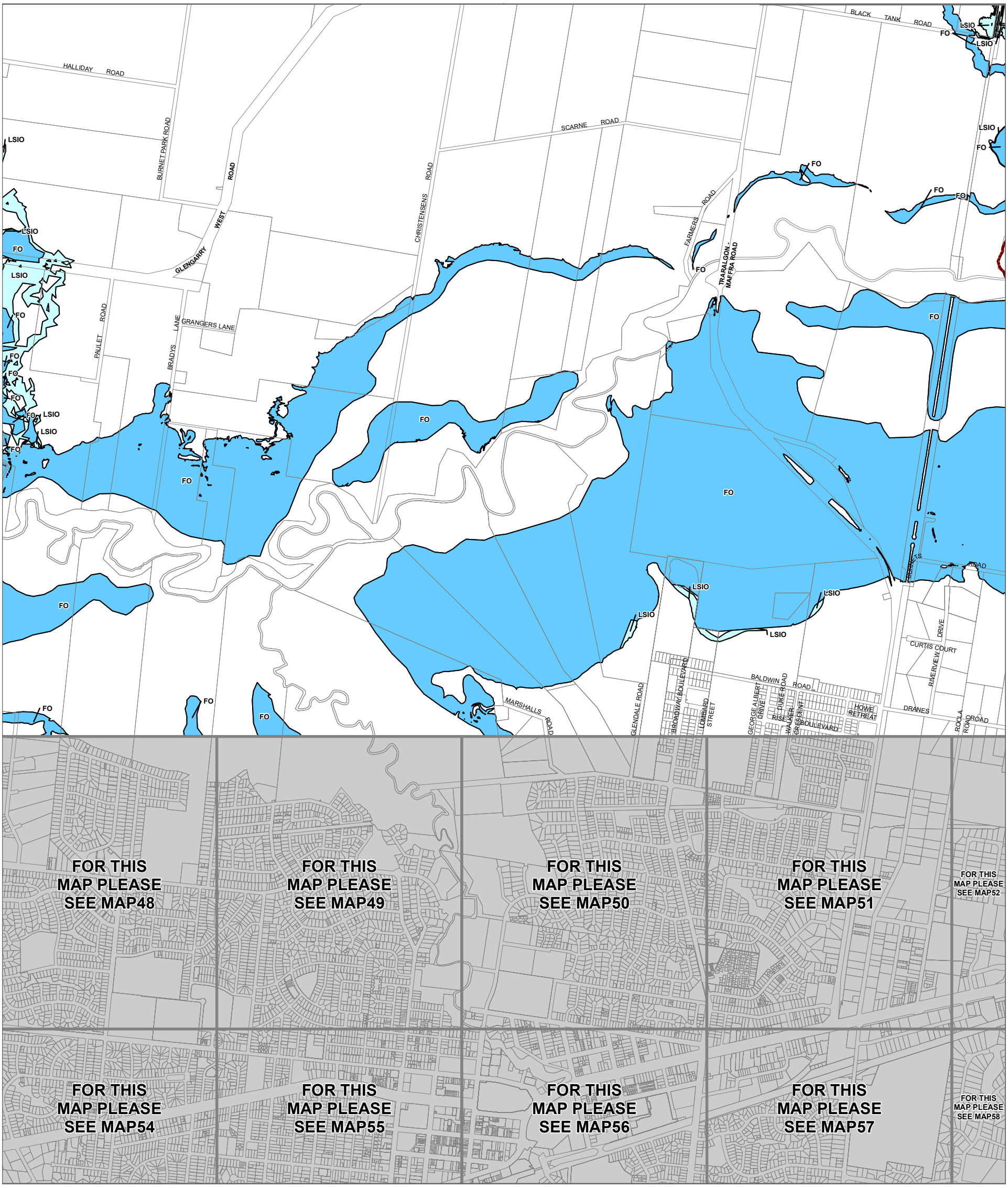

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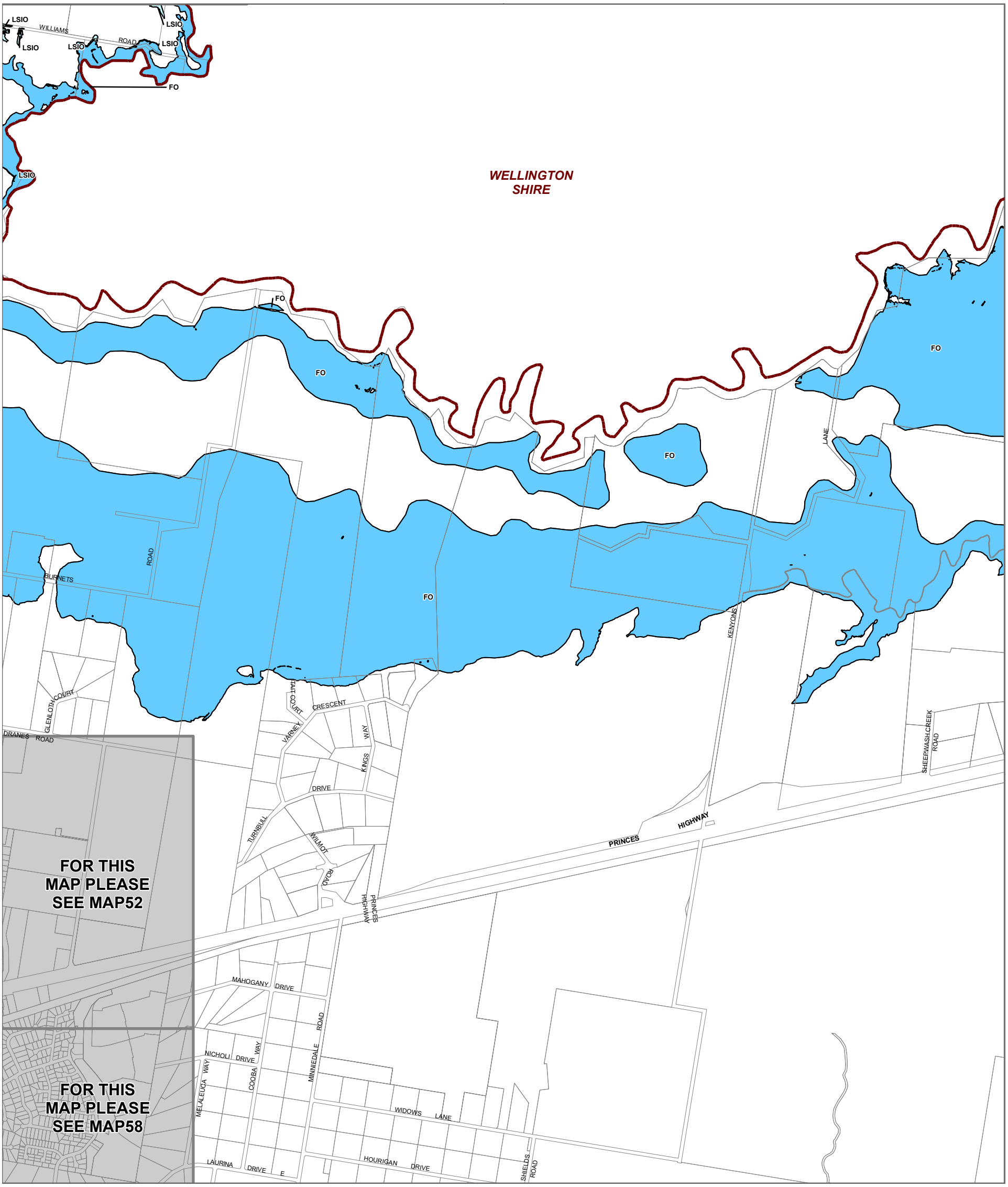

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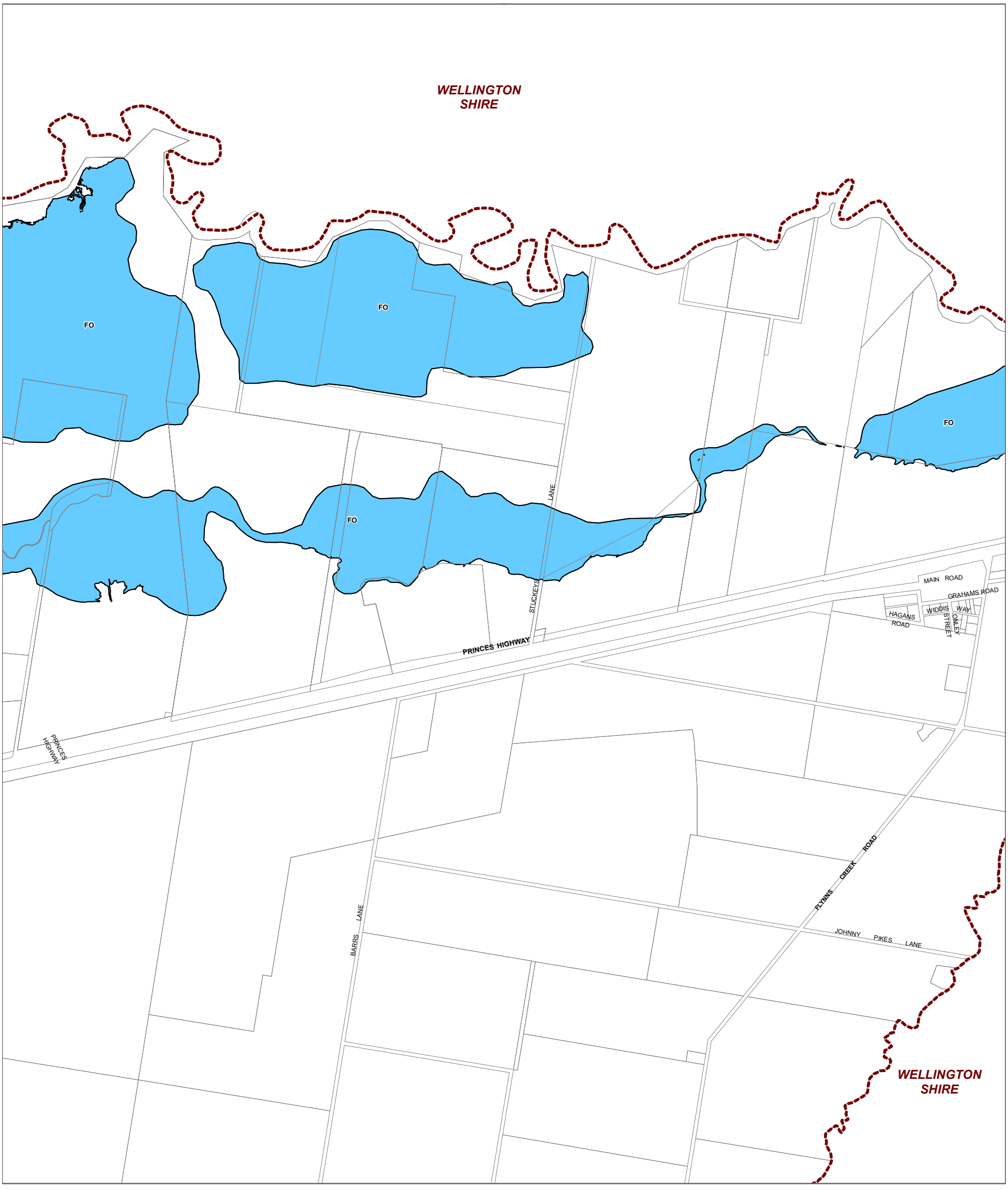

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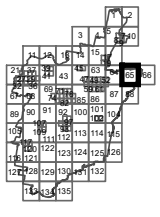

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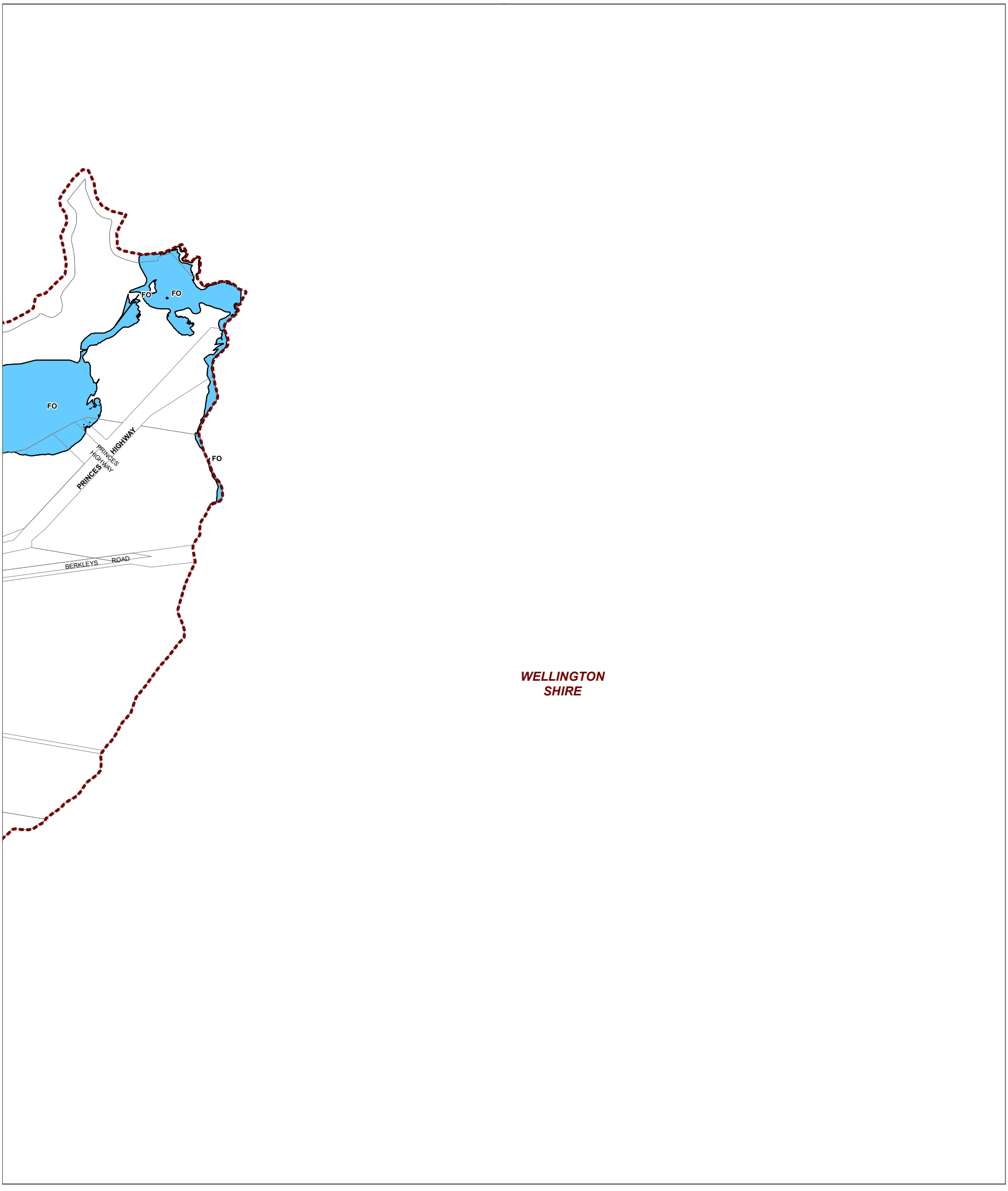

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LSIO - Land Subject to Inundation Overlay

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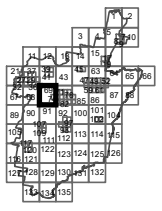

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 69LSIO-FO**

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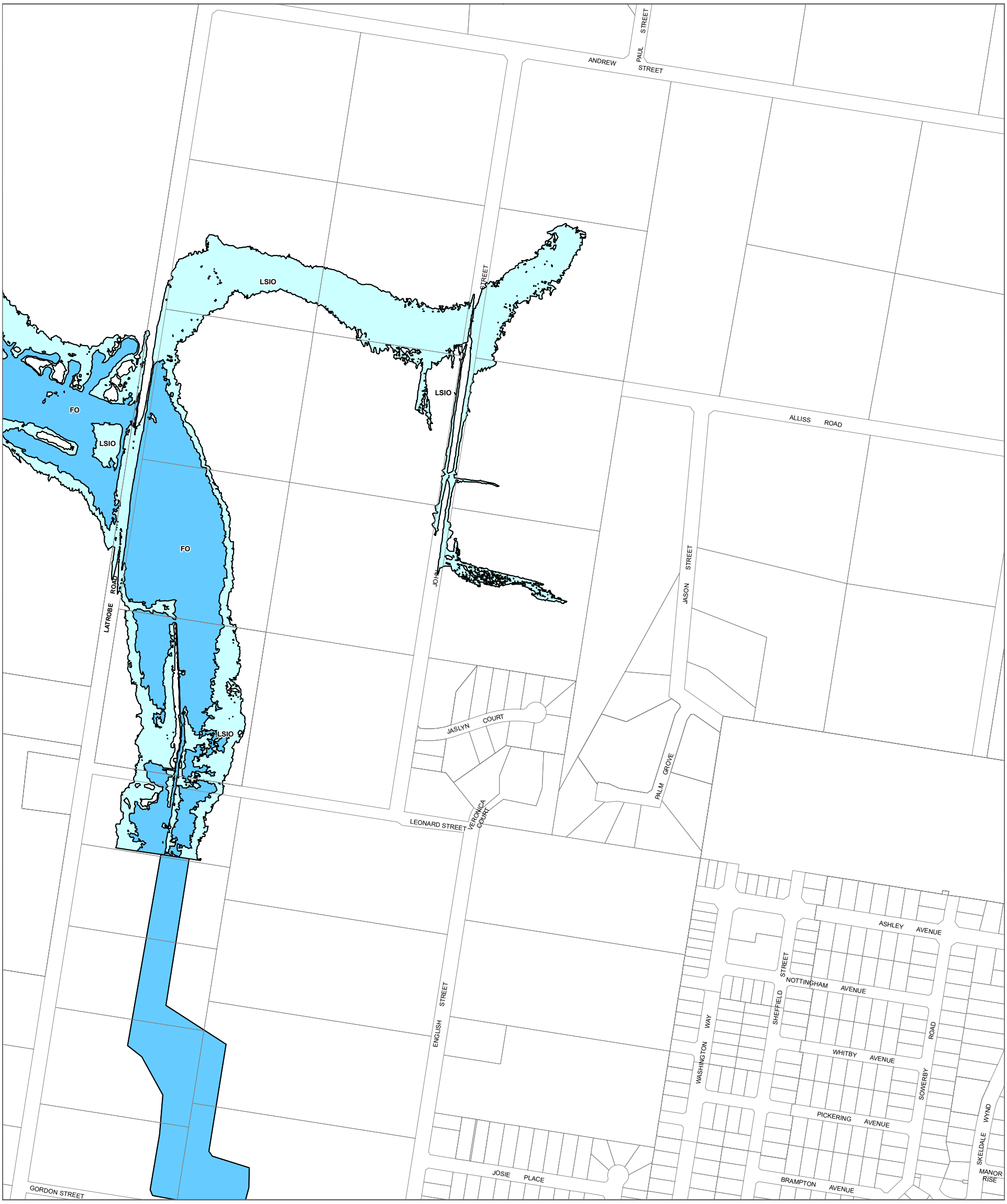
INDEX TO ADJOINING SCHEME MAPS

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 70LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

- FO - Floodway Overlay
- LSIO - Land Subject to Inundation Overlay
- Municipal Boundary

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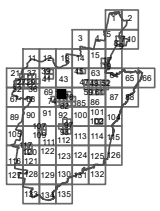

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 71LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

- FO - Floodway Overlay
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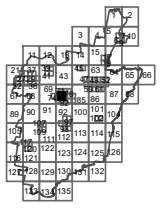

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 76LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

LSIO - Land Subject to Inundation Overlay

Municipal Boundary

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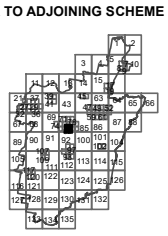
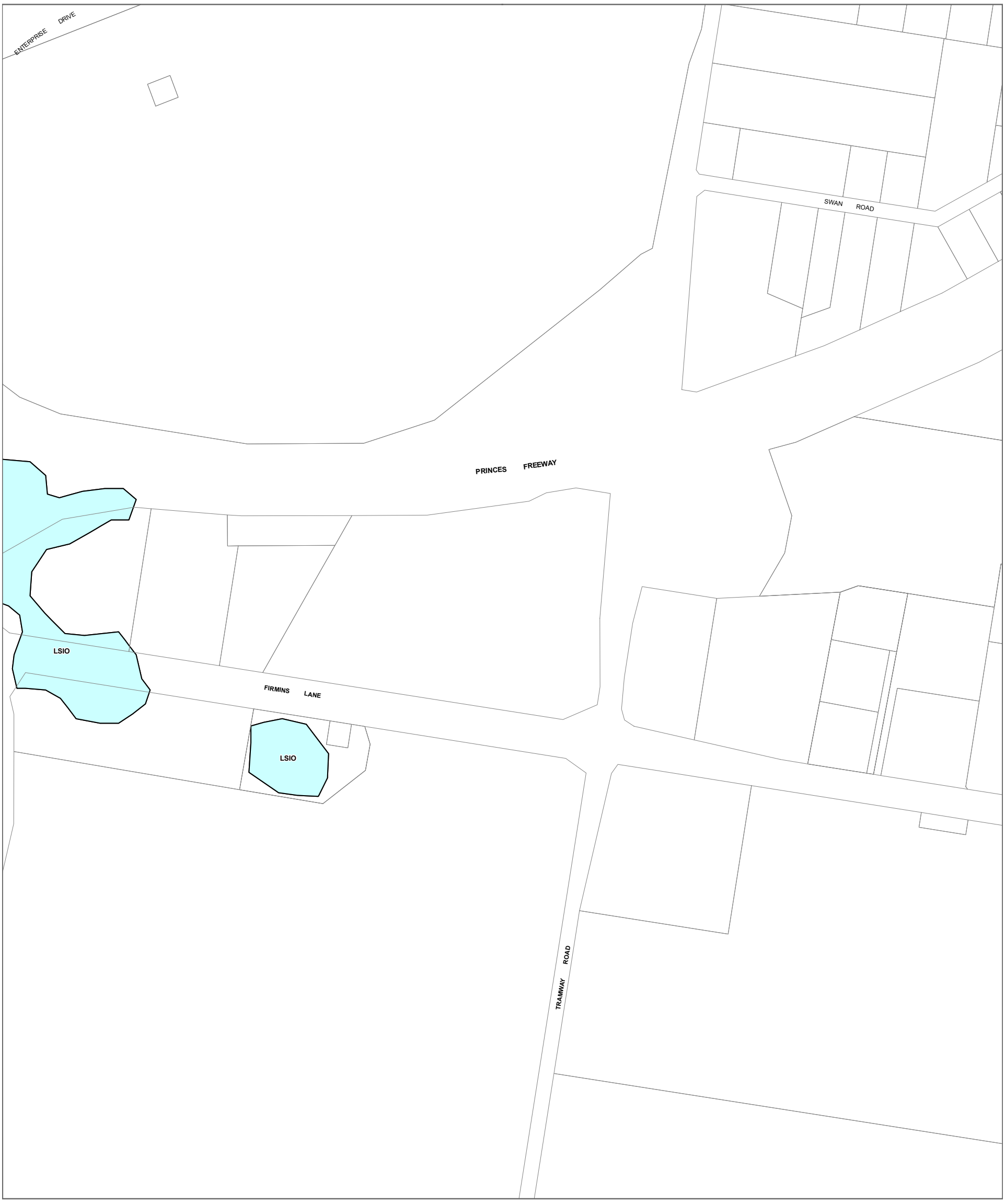


LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 82LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

LSIO - Land Subject to Inundation Overlay

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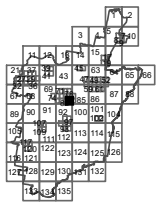
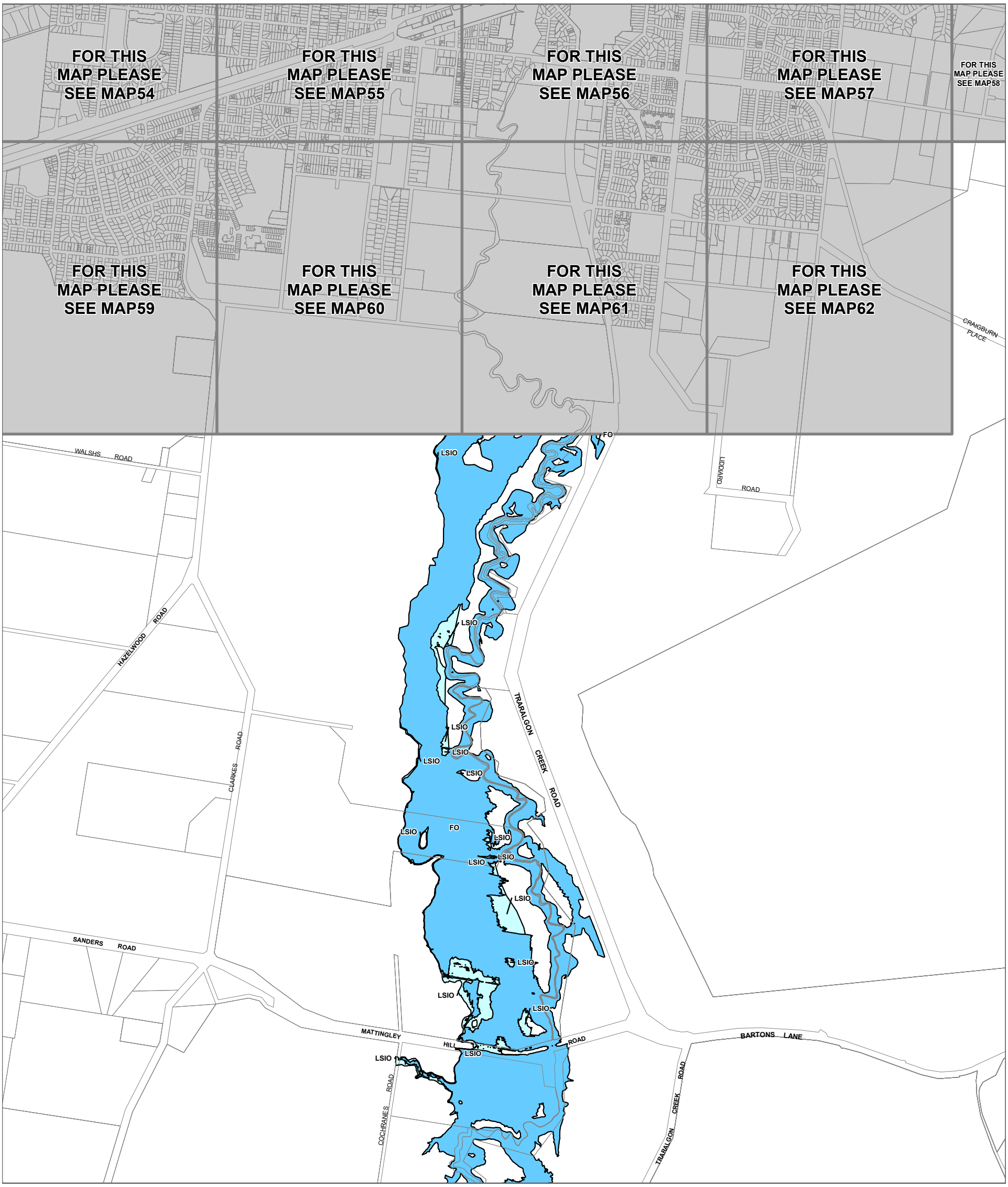


LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY

MAP No 83LSIO-FO

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr



LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 86LSIO-FO**

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LEGEND

FO - Floodway Overlay

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LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 91LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

FO - Floodway Overlay

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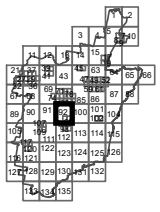

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 92LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

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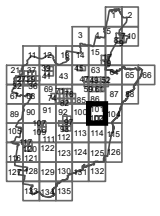

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 101LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

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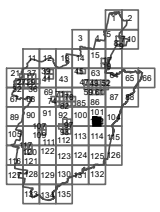

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 102LSIO-FO**

LATROBE PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C131latr

LEGEND

FO - Floodway Overlay

LSIO - Land Subject to Inundation Overlay

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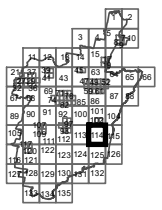

LAND SUBJECT TO INUNDATION OVERLAY/FLOODWAY OVERLAY **MAP No 114LSIO-FO**

Background to Amendment C131 (Flood Overlays Update)

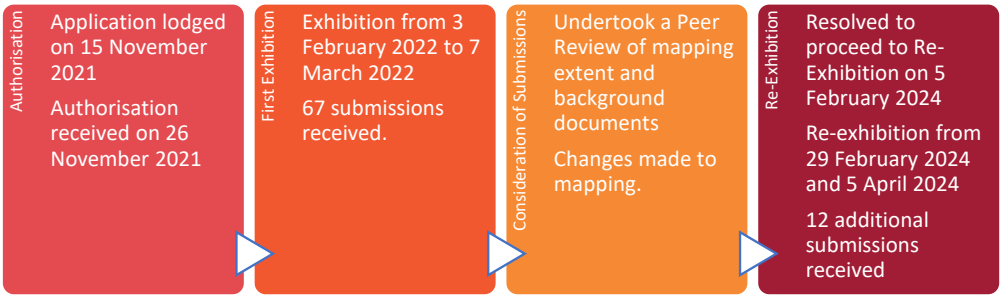

Figure 1: Amendment Steps to Date

Steps taken to date to progress the amendment include:

1. A request for Authorisation to proceed to a Planning Scheme Amendment to the Minister for Planning was lodged on 15 November 2021.
2. On 26 November 2021 the Minister for Planning authorised Council to prepare and exhibit Amendment C131.
3. The Amendment was placed on exhibition from 3 February 2022 to 7 March 2022.
4. During the first Exhibition, a total of 67 written submissions were received.
5. Submissions were considered for the first Exhibition. In response to the submissions received, the WGCMA reviewed the mapping for the area around Traralgon, and subsequently issued revised plans which excluded several properties from the Amendment as the identified flooding did not relate to riverine flooding. In addition, as part of the discussions with the WGCMA, it was found that at the commencement of the first Exhibition not all flood studies were provided to Council or publicly available. However, it was found that the flood overlays supplied were informed by the flood data for all the flood studies including the ones that were not supplied.
6. A peer review of all the background and Planning Scheme Amendment documents was identified as the most appropriate next step in progressing Amendment C131. The Peer Review was finalised in September 2023. It made a number of recommendations, most significantly:
   - Remove areas in Traralgon that were identified as resulting from stormwater flooding not riverine flooding.
   - Only exhibit areas that had a completed flood study. This resulted in areas of Moe, Hazelwood and Flynn being removed from the Amendment.
   - Include the climate change scenario for the Latrobe River in the flood mapping.

7. At the 5 February 2024 Council Meeting, it was resolved to re-exhibit the Amendment.
8. Amendment C131 was placed on re-exhibition from 29 February 2024 to 5 April 2024.

Agenda Item:	**7.3**
Agenda Item:	**Proposed Planning Scheme Amendment C143 (Public Acquisition Overlay) - Authorisation**
Sponsor:	**General Manager, Regional City Planning and Assets**

Proposed Resolution:

That Council:

1. **Endorse the draft Site Assessment Documents, provided at Attachment 6, for Public Exhibition as part of Amendment C143;**
2. **Request Authorisation from the Minister for Planning to prepare and Exhibit Amendment C143 to the Latrobe Planning Scheme, in accordance with section 8A of the *Planning and Environment Act 1987;***
3. **Prepare Amendment C143 to the Latrobe Planning Scheme to apply the Public Acquisition Overlay in favour of Latrobe City Council to give effect to the Site Assessment Documents, generally in accordance with the documentation provided at Attachments 4, 5, 6, 7 and 8, subject to Ministerial Authorisation; and**
4. **Place Amendment C143 on Public Exhibition in accordance with the requirements of Section 19 of the *Planning and Environment Act 1987*, subject to Ministerial Authorisation.**

Executive Summary:

- Three greenfield growth areas in Latrobe (Lake Narracan, Morwell North West and Traralgon North) have Development Contribution Plans (DCP). A DCP is used to collect payments from developers to fund infrastructure they will share. Common items funded by these payments include major roads, wetlands and community facilities.
- DCPs can also set planning permit conditions which require developers to hand over land specified in the DCP. If there is no planning permit, Council must negotiate the purchase of the required land. In this situation the decisions to sell is the landowners and they can refuse.
- Proposed Amendment C143 (the Amendment) intends to apply the Public Acquisition Overlay (PAO) to 24 properties across Newborough (12), Morwell (11) and Traralgon (1) to reserve land identified for five road upgrades, three wetlands and three channels for stormwater treatment, and an active reserve.
- Once the PAO is applied, Council will be able to compulsorily acquire the affected land when Council deems the land is required, subject to the *Land Acquisition and Compensation Act 1986*. The PAO also protects the reserved land from inappropriate development until the land is acquired.
- At the 4 March Council Meeting, Council resolved that consultation be held with the affected landowners prior to any further consideration of the Amendment by Council.

- Council Officers have notified all twenty two (22) affected landowners and four (4) prospective landowners (and/or their consultants) of the Amendment and held individual meetings to explain; why the Amendment is needed, their rights under the PAO, and to understand their concerns and intentions.
- Giving Council the ability to compulsorily acquire the land required by the 12 identified DCP projects, the Amendment will support the delivery of housing supply in Latrobe City (3,700 dwellings in Lake Narracan, 1,280 dwellings in Morwell North West and, 1,111 dwellings in Traralgon North).

Background:

The growth areas of Lake Narracan, Morwell North West and Traralgon North are each covered by a Development Contribution Plan (DCP).

These DCPs aim to equitably share the cost of infrastructure required to service the individual growth areas and to compensate landowners where land is required for a project. Common infrastructure funded by a DCP includes wetlands for stormwater treatment, road and intersection upgrades, and community facilities. Latrobe City Council is responsible for collecting the payments and delivering the infrastructure identified in the DCPs. Every property subject to a DCP is numbered with a specific identifier which can be found in attachment 1.

As part of the 2023/24 review of development contributions in Latrobe, Council Officers identified 16 DCP projects that are required to be delivered in the next 10 years to support approved residential subdivisions. 12 of the projects require land which is currently held in private ownership. Officers are therefore concerned these projects may not be able to be delivered when needed due to their location on privately owned land.

Council's Property and Commercial Team advised, following legal advice relating to the acquisition process of drainage reserves in the Morwell North West growth area (attachment 2), using the PAO should be Council's preferred process to acquire the identified land.

The PAO allows for the 'Acquiring Authority' (i.e., Latrobe City Council) to compulsorily acquire land. Compulsory acquisition must be undertaken in accordance with the *Land Acquisition and Compensation Act* 1986. This Act sets out a fair and equitable process compulsory acquisitions are legal required to follow. It sets timeframes to be followed, when negotiations must be referred to either the Victorian Civil and Administrative Tribunal (VCAT) or the Supreme Court and, defines when the Acquiring Authority legally take ownership (usually before compensation is paid) and when they have the right to access the land. The PAO guarantees Council the ability to acquire land no matter the landowner's intentions but ensures compensation is fair and equitable.

Alternatively, Council could directly negotiate the purchase of land with the landowners, but this does not guarantee Council the ability to acquire the land and, does not have a legally recognised process to determine fair compensation. Direct negotiation may see Council pay more to acquire the land than would be determined under the PAO.

Attachment 1 provides a list of properties affected, their DCP property identifier, the DCP project identifier, project description, and an overview of the impact of the PAO on the property. A detailed description and costs recouped by the DCP is provided in Attachment 3.

The application of the PAO will substantially increase Council's ability to protect land identified for DCP infrastructure in the short term. In the medium to long-term, it will allow Council to acquire land in a fair and transparent process (in accordance with the *Land Acquisition and Compensation Act 1986)* with guaranteed timeframes to ensure compulsory acquisition is not delayed once started. The application of the PAO is a strong tool to facilitate the development of the residential precincts in a timely manner.

Proposed Planning Scheme Amendment

The proposed Amendment C143 will amend the Latrobe Planning Scheme to:

- Introduce PAO2 and PAO3 into the Schedule to Clause 45.01 Public Acquisition Overlay, name Latrobe City as the Acquiring Authority for both PAO2 and PAO3, and to specify the purpose of acquisition for PAO2 as 'Road projects' and for PAO3 as 'Open space reserves.'
- Apply the PAO2 to 13 properties in Newborough, and to apply PAO3 to 13 properties across Newborough, Morwell and Traralgon.
- Alter the Schedule to Clause 72.03 *What Does This Planning Scheme Consist Of*? to reference PAO on the maps affected.
- Alter the Schedule to Clause 74.01 *Application Of Zones, Overlays And Provisions* to outline how the Public Acquisition Overlay implements the Municipal Planning Strategy.

The draft ordinance is provided in Attachment 4 and the draft maps are provided in Attachment 5. A copy of all other required Amendment documents are provided at Attachments 6, 7 and 8.

The proposed schedule specifies that the Acquiring Authority will be Latrobe City Council, in practice this will be undertaken by the Coordinator of Property and Commercial. The ultimate responsibilities and process of acquisition under the PAO will be subject to a future Council report should Amendment C143 be incorporated into the Latrobe Planning Scheme. The Statutory Planning team will assess any planning applications required under the PAO.

Issues:

Communication

Between 21 March 2024 and the 17 April 2024, Council Officers contacted all landowners and engaged with 17 landowners through individual meetings with Officers or phone calls. Five landowners are yet to respond. Council Officers also engaged with developers where they were in the process of acquiring affected land. Due to duplication of landownership, Council Officers identified 22 landowners to be contacted. However, an assessment of planning permit applications resulted in an additional 4 parties being identified as they would own land subject to a planning permit (for subdivision) being granted.

Through the engagement, Council Officers identified four types of landowners;

- those who want to keep using their land as is and have no intention to subdivide (develop) themselves;
- those who have, are applying for, or intending to apply for, a planning permit for subdivision; and
- those who have a contract of sale to buy a property subject to a planning permit for subdivision being approved.

The primary concerns of most landowners with no intention to develop were:

1. How much land/which part of the property would be acquired;
2. When would the acquisitions happen;
3. Can I refuse compulsory acquisition.

Council Officers' general responses to these concerns are outlined below:

Concern 1:

- Officers used Council's internal mapping system which allows the development plans and aerial imagery to be overlaid on the property. The Officers identified the property in question and then engaged in a discussion about the extent of the PAO, the area required and what works would be facilitated and why.

Concern 2:

- Council Officers advised that it is not Councils intention to immediately act on the PAO once it has been adopted into the planning scheme. Rather it is our preference to acquire land through planning permits and subdivision. Council Officers did identify advise if an acquisition is a high priority. Officers further confirmed that any decision to compulsorily acquire land will first require an additional resolution by Council before the acquisition process would begin.

Concern 3:

- Once the PAO has been applied, landowners cannot refuse the compulsory acquisition unless Council has failed to follow the requirements of the *Land Acquisition and Compensation Act 1986*. Therefore, the appropriate time to lodge an objection is during the Amendments exhibition. The landowner was then advised that if an amendment has objections which cannot be resolved, Officers will recommend that the amendment be referred to a Planning Panel to be independently reviewed. As part of which, Council and any submitter, will be given the opportunity to explain their reasoning and/or submission. The panel will then make public a report which reviews the proposed amendment and advise Council whether or not to; proceed as is, amend, or not continue.

The primary concerns of those with intentions to develop were:

1. How much land/which part of the property would be acquired;
2. How will this affect my permit or permit application;

Council Officers' general responses to these concerns are outlined below:

Concern 1:

- Officers used Council's internal mapping system which allows the development plans and aerial imagery to be overlaid on the property. The Officers confirmed that the area proposed to have the PAO applied aligns with which would be required to be handed over by a planning permit.

Concern 2:

- Council Officers advised that, applying the PAO is unlikely to affect granted permits or current subdivision applications. If Council did compulsorily acquire the land, certain plans required by the permit will need to be updated by the applicant if they act on the permit after Council has acquire the land. The changes will need to show that the land has already been handed over and certain contribution rates may need to be updated. Officers also advised that applying the PAO does not stop developers acting on their permits. The PAO will simply provide Council back-up option to acquire land should approved planning permits not be acted on.

Compensation was inevitably brought up. Council Officers advised that they could not give a value at this stage but that the basic compensation would reflect land values plus any improvements made to the land, valuation or moving fees incurred due to the compulsory acquisition process etc.

Officers, when asked, were clear that compulsory acquisition is not Council's preferred process to acquire land due to the additional costs Council will incur compared to acquiring land through the subdivision process. That said, the Amendment is required due to the facilitated projects being required in the next 10 years to support approved planning permits for residential developments.

A summary of this engagement is provided in attachment 9.

If authorisation is granted by the Minister for Planning to undertake a planning scheme amendment, Amendment C143 will be subject to the prescribed planning scheme amendment process in accordance with the public notice and consultation requirements of section 19 of the *Planning and Environment Act 1987* (Act).

An engagement plan will be developed to ensure appropriate engagement activities are undertaken for Amendment C143.

- Exhibition of Amendment C143 for a minimum of one calendar month;
- Documents available on Latrobe City Council's website;
- Have Your Say page created;
- Letters / emails notifying affected owners and occupiers, agencies, public authorities and Ministers believed to be materially affected by Amendment C143 or prescribed under the Act;
- Notices in the Latrobe Valley Express;

- Notice in the Government Gazette;
- FAQ sheet to outline the purpose and implications of the PAO; and
- One-on-one meetings with affected landowners.

Financial Implications

Amendment C143 will be undertaken with the Strategic Planning BAU budget for the 2023/24 and 2024/25 financial years. This includes costs associated with the Planning Panel (if required due to unresolved objections); which is likely to be approximately $20,000 based on similar size amendments. The Planning Scheme Approval fee is increased annually and will be approximately $516.80.

Attachment 3 provides a detailed description of the projects and the costs recouped by the DCPs towards the 16 projects. These costs are provided in 2023/24 financial year figures and combined equate to $34,366,029.00. The 16 projects are unlikely to be all delivered in the same year. The timing of the delivery will be determined by the Capital Works Board and future budgeting processes.

RISK ANALYSIS

RISK	RISK RATING	TREATMENT
COMPLIANCE Certain DCP items are not able to be delivered due to lack of development approvals or lack of landownership by Council.	**High** *Likely x Major*	Proceed with proposed Amendment C143
SERVICE DELIVERY Applying the PAO will result in a small increase in written planning advice and planning permit applications which will add to existing workloads and may see response times deteriorate.	**Low** *Unlikely x Minor*	Ensure all affected landowners are aware of the new Overlay on their land and the implications to minimise the number of enquiries. Ensure all positions within Regional City Planning are filled to maximise staff availability.

RISK	RISK RATING	TREATMENT
FINANCIAL High costs to Council to acquire land from hold-out landowners.	**Medium** *Unlikely x Major*	Proceed with proposed Amendment C143. Determine compensation in accordance with the *Land Acquisition and Compensation Act 1986*.
STRATEGIC Council cannot acquire the land, Council will not be able to deliver the identified DCP projects. This could result in: ● A reputational decline with developers. ● Reduced number of development applications ● Overall decline in development activity. ● Worsening of housing affordability.	**High** *Likly x Major*	Proceed with the proposed Amendment C143 Acquire land as necessary once C143 is adopted into the Latrobe Planning Scheme
STRATEGIC Community sentiment for Public Acquisition Overlay and compulsory acquisition is unknown and therefore Officers are unsure how the Latrobe community will react.	**High** *Likely x Major*	Ensure all affected landowners are aware of the new Overlay on their land and the implications of the Overlay to minimise the number of enquiries. Make any reports prior to Exhibition of the Amendment confidential. Liaise with the Communications Team to ensure material provided during Exhibition in clear, consistent and easy to understand.

Legal and Compliance

The planning scheme amendment process is shown in in Figure 1 below, which identifies the current stage Amendment C143 is at in the process:

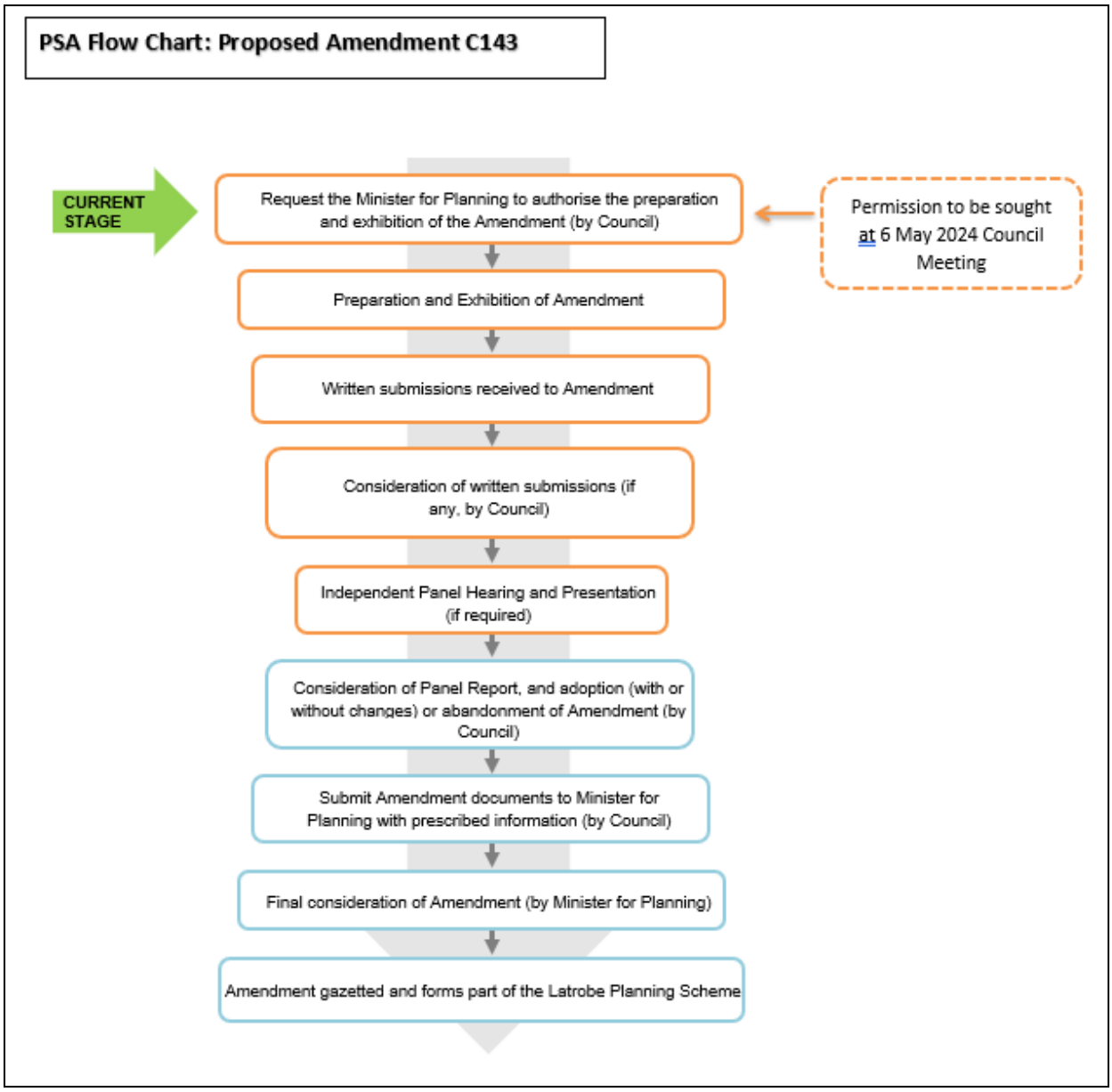

Figure 1 – Amendment C143 Planning Scheme Amendment Process

In accordance with section 8A of the Act, the Minister for Planning may authorise Council to prepare an amendment to State and/or Local provisions of the Latrobe Planning Scheme.

Council, as the planning authority, has a number of duties and powers, which are listed at section 12 of the Act. Under section 12(2), in preparing a planning scheme amendment, Council must have regard to:

- The Minister's directions;
- The Victoria Planning Provisions;

- Any strategic plan, policy statement, code or guideline which forms part of the Latrobe Planning Scheme;
- Any significant effects which it considers a planning scheme amendment might have on the environment or which it considers the environment might have on any use or development envisaged in the planning scheme amendment.
- Any social and economic effects.

Council has had regard to section 12(2) of the Act and considers Amendment C143 to be consistent with these requirements.

Community Implications

The impact of the projects facilitated by the adoption of this Amendment were considered at the time Council endorsed the relevant DCP. Any social impact of the proposed projects can be reconsidered at the time Council seeks to acquire the land.

The proposed Amendment will facilitate the delivery of infrastructure which is critical to the delivery of the three major growth areas in Latrobe. These growth areas will see an additional 3,700 dwellings in Moe-Newborough, 1,280 dwellings in Morwell and, 1,111 dwellings in Traralgon. The delivery of this housing is critical to easing the housing affordability pressures the Latrobe community are currently experiencing.

Health Implications

Not applicable to the adoption of this amendment.

Environmental Implications

Not applicable to the adoption of this amendment.

Other

The Amendment will result in costs to Council beyond the process of adopting this amendment if Council resolves to acquire any of the land identified at a later stage. These costs will primarily be associated with acquiring the land and will be in the form of compensation to land owners and possible increased staffing requirements (possibly via consultants) to manage the acquisition process.

DCPs are designed to fund infrastructure via levies collected from developments. In some instances, infrastructure is required before sufficient funds have been collected. In these situations, if Council chooses to deliver a project prior to the collection of sufficient levies, Council will have to fund the project. In the long-term Council will recoup any such expenses as development occurs and levys are collected.

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. List of properties affected and DCP property identifier maps (Published Separately)

   This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

2. Legal advice (Published Separately)

   This attachment 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. Legal advice sought by Council.

3. Table of facilitated DCP projects and the cost recouped by the DCP (Published Separately)

   This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

4. Proposed ordinance for affected clauses (Published Separately)

   This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

5. Proposed planning scheme maps (Published Separately)

   This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

6. C143 Site Assessments for PAO2 and PAO3 (Published Separately)

   This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

7. Amendment C143 Explanatory Report (Published Separately)

   This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

8. Amendment C143 Instruction Sheet (Published Separately)

   This attachment is designated as confidential under subsection (c) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to land use planning information, being information that if prematurely released is likely to encourage speculation in land values. Long term outcome of the amendment will be the compulsory acquisition of land which requires determining land values for compensation.

9. Summary of engagement (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. Act: s3(1)
   Code: f
   Reason: Summary of meetings engagement which reasonably could be used to identfy personal information about landowners and contractual information.

CONSIDERATION OF AMENDED PLANS FOR PLANNING PERMIT APPLICATION 2022/233 AT 23 DUNBAR ROAD, TRARALGON

PURPOSE

To provide Council with an assessment of amended plans that have been submitted to the Victorian Civil and Administrative Tribunal regarding planning permit application 2022/233 for the development of land with 50 dwellings at 23 Dunbar Road, Traralgon, against the provisions of the Latrobe Planning Scheme.

EXECUTIVE SUMMARY

On 5 April 2024 the applicant lodged amended plans with Victorian Civil and Administrative Tribunal (VCAT) for substitution. These plans are the plans to be decided upon at the upcoming VCAT Merits Hearing on 27, 28 and 29 May 2024 and can be viewed at Attachment 2. It should be noted that these plans have not been accurately labelled, which has resulted in a degree in difficulty in assessing and interpreting the plans.

The plans previously decided on by Council are now superceded and can be viewed at Attachment 3.

All parties (including referral authorities, persons originally notified and all submitters to the application) have been notified of these amended plans and any submissions on these plans are now the responsibility of VCAT to accept and consider. Therefore, the scope of this report is to only consider the changes to the plans and any impacts these changes have on the refusal grounds adopted at the 7 August 2023 Council meeting.

The key changes proposed include:

- A reduction in dwellings and lots to be created from 52 to 50;
- An overall reduction of 21 bedrooms across the development;
- The provision of a public through-road between Dunbar Road and Hickox Street, with footpath on one side and some indented parking on the other;
- Common property areas reduced;
- Vehicle connections to Dunbar Road amended from nine crossovers and common property access to two road intersections and four single crossings;
- Vehicle connections to Hickox Street amended from five double crossovers and two single crossovers to five double crossings;
- Reallignment of a Council drain;
- Dwelling redesigns aimed at reducing the occurrence of south-facing Secluded Private Open Space (SPOS) and improving energy ratings; and
- Removal of one Mature Eucalypt street tree, though it would appear the the root zones of other street trees and trees on the Crown reserve would be impacted upon and those trees deemed lost.

The subject site remains in the Mixed Use Zone and is subject to an Environmental Audit Overlay.

Having considered the amended plans proposed against the relevant provisions of the Latrobe Planning Scheme (the Scheme) and the previous application, it is considered that the proposal is inconsistent with the relevant objectives, decision guidelines and strategic guideance of the Scheme. It is further noted that the 500m amenity buffer from the Graymont Lime Batching Facility and amenity buffers from the Janette Street Industrial Precinct remain unchanged.

OFFICER'S RECOMMENDATION

That Council amend the refusal grounds in the Notice of Refusal to Grant a Planning Permit, as per Attachment 1 to this report.

BACKGROUND

The site is located at 23 Dunbar Road, Traralgon. An aerial photograph of the site and surrounds can be viewed at Attachment 4, including the Graymont Lime Batching Facility and Janette Street Industrial Precionct Amenity Buffer. The nature of the site and its surrounds remain unchanged since the report to Council on 7 August 2023 (this includes zoning, overlays, land use controls and use and built form of the area).

The proposal is based upon the application presented to Council on 7 August 2023, with the following modifications incorporated into the plans:

- A reduction in dwellings and lots to be created from 52 to 50;
- An overall reduction of 21 bedrooms across the development;
- The provision of a public through-road between Dunbar Road and Hickox Street, with footpath on one side and some indented parking on the other;
- Common property areas reduced;
- Vehicle connections to Dunbar Road amended from nine crossovers and common property access to two road intersections and four single crossings;
- Vehicle connections to Hickox Street amended from five double crossovers and two single crossovers to five double crossings;
- Reallignment of a Council drain;
- Dwelling redesigns aimed at reducing the occurrence of south-facing Secluded Private Open Space (SPOS) and improving energy ratings; and
- Removal of one Mature Eucalypt street tree, though it would appear the the root zones of other street trees and trees on the Crown reserve would be impacted upon and those trees deemed lost. Landowner consent has bnot been obtained for the impact on these trees.

The architectural design characteristics of the dwellings is to remain largely unchanged and the original planning permit triggers also remain the same.

CONSULTATION

The amended plans were readvertised to all parties originally notified and all parties that made a submission to the original application. Submissions on these amended plans are provided directly to VCAT for consideration and it is not the role of Council at this stage of the process to accept and assess submissions.

ANALYSIS

Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF)

The relevant direction and policy contained in the MPS and PPF of the Latrobe Planning Scheme have been considered as part of the assessment of this application and the proposal has been found to be consistent with them. A response to relevant policy can be viewed at Attachment 5 to this report.

Zone

The subject site remians within the Mixed Use Zone (MUZ). The purpose of the MUZ is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Pursuant to Clause 32.04-4 of the Scheme, a permit is required to subdivide land.

Pursuant to Clause 32.04-6 of the Scheme, a permit is required to construct two (2) or more dwellings on a lot. An application must meet the requirements of Clause 55 of the Scheme. An assessment against Clause 55 is provided at Attachment 6 of this report.

The decision guidelines of the Mixed Use Zone require consideration of the following matters:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.
- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.
- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

The proposal is inconsistent with the decision guidelines at Clause 32.07-5 of the Scheme for the following reasons:

- The proposed development is inconsistent with planning policy in relation to housing growth within Traralgon, which specifically discourages intensification of housing in the Sibelco/Graymont Lime Batching Plant buffer area and while Industry is dominant in the Janette Street Industrial Precinct.
- The development of housing options of such density is considered premature having regard to the policy framework applying, and if approved would have the potential to undermine the long term viability of existing industry in proximity to the site.
- The proposal is inconsistent with the objective of Clause 55.02-2 (residential policy objectives), as the proposal is a medium-high density development in a location that planning policy specifically designates as currently inappropriate for such development.

- The proposal does not satisfactorily demonstrate how crossovers and footpaths to and adjacent to the site will be able to be constructed in accordance with Council Standards.

Overlay

The subject site remains in the Environmental Audit Overlay (EAO). The purpose of the EAO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

The EAO does not trigger a permit but requires that prior to any sensitive use commencing or works for a sensitive use starting, that contamination risk is assessed. The application has been supported by an Environmental Site Audit, which finds that the proposal can proceed having regard to contamination risk on the site.

The application was referred to the Environment Protection Authority, who did not object to the application on contamination grounds.

Particular Provisions

Clause 52.02 Easements, Restrictions and Reserves:

Clause 52.02 provides that a permit is required to create or remove an easement. The proposal continues to seek to relocate a drainage easement to accommodate stormwater from the site and allow connection to Council infrastructure. There are no concerns raised with this aspect of the application.

Clause 52.06 Car Parking:

Clause 52.06-1 requires that prior to a new use commencing, the car parking spaces required under Clause 52.06-5 must be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the authority.

The standard carparking requirements are:

- To each one or two-bedroom dwelling - one car space.
- To each three-bedroom dwelling - two car spaces with one of these spaces to be undercover.
- One car space for visitors for every 5 dwellings for development of 5 or more dwellings.
- Each dwelling is provided with car parking that meets the Scheme requirements, including dimensions at Clause 52.06-9 of the Scheme.

Appropriate dimensions have been provided for the car spaces and garages and these all comply with the planning scheme requirements.

The original proposal required a reduction of 3 visitor car parking spaces. The current proposal seeks to provide the required number of spaces per dwelling, with visitor car parking provided in land that is now proposed to be declared a Council Road.

The original application was supported by a Traffic Impact Assessment, with no updated Traffic Impact Assessment provided in support of the amended application.

Clause 52.06-9 of the planning scheme requires that "*If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction*".

The common property accessways for Lots 37, 38 and 39 and for Lots 48, 49 and 50, will each serve six car spaces. Turning vehicle swept paths have not been provided to demonstrate that a vehicle can enter the property in a forward direct, reverse out of each lot's garage and exit the properties in a forward direction.

Clause 52.06-9 of the Planning Scheme requires that vehicle accessways must "*Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900 mm in height*".

Although sight distance triangles have been shown on the amended plans for the proposed vehicle accessways to Dunbar Road and to Hickox Street, these often encroach into abutting lots. However, there are notes on the plans indicating that no side boundary fences are proposed at the front (street) boundaries of these lots.

Where the abutting footpath is less than 2.5 metres from the property boundary, the plans of subdivision will need to include restrictions on titles advising that no side boundary fences will be permitted within 2.5 metres of the footpath abutting the front (street) boundary of these lots.

Clause 53.01 Public Open Space Contribution and Subdivision:

- Clause 53.01 provides that a person who proposes to subdivide land must make a contribution to the council for public open space (POS). The land has not previously been required to make a POS contribution and as such a payment is required.
- The site is an infill residential subdivision within Traralgon. The Schedule to Clause 53.01 provides that a 5% contribution is required, with cash being preferred. This would be reflected in conditions of any approval should a permit be granted.

Clause 53.18 Stormwater Management in Urban Development:

The purpose of the clause is:

- To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the specified exemptions included under the clause. The clause applies to the application and the exemptions do not apply to the application.

Stormwater management objectives for buildings and works under the clause are as follows:

- To encourage stormwater management that maximises the retention and reuse of stormwater.
- To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.
- To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

- To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

Further details will be required to quantify the on-site stormwater detention and re-use volumes required. These details would normally be provided as part of the design and preparation of engineering plans for the provision of required works.

The submission of a site drainage plan and computations will be required to demonstrate how storm water is to be satisfactorily discharged from the site. Where the subdivision of the land will create common property, shared drainage systems are acceptable for those lots forming part of the Owners Corporation. All other lots, not part of an Owners Corporation, will be required to each have a separate connection into Council's existing stormwater drainage system, or to a new system that will become Council's responsibility.

As this development will increase the impervious area of the site and therefore increasing the amount of stormwater run-off, the provision of on-site detention of stormwater run-off will be required.

Clause 55 Two or More Dwellings on a Lot:

Clause 55 applies to an application to construct two or more dwellings on a lot in the Mixed Use Zone. All of Clause 55 except Clause 55.07-1 to 55.07-19 (inclusive) apply to this application. An application must meet all the objectives of this clause that apply and should meet all the standards of this clause.

A detailed assessment of the amended development has been undertaken with the Clause and can be viewed at Attachment 6 of this Report.

Clause 56 Residential Subdivision:

Clause 56 applies to an application to subdivide land. An application must meet all the objectives of this clause that apply and should meet all the standards of this clause. Clause 32.04-4 specifies the relevant Clause 56 matters to be assessed. A detailed assessment of the amended subdivision has been undertaken with the Clause and can be viewed at Attachment 7 of this Report.

Decision Guidelines (Clause 65)

Clause 65.01 sets out the decision guidelines to be considered before deciding on an application or approve a plan.

Clause 65.02 sets out the decision guidelines to be considered before deciding on an application to subdivide land.

The Permit Application does not meet the relevant objectives and strategies stipulated in the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) relating to the development of more than two dwellings on a lot in the MUZ.

While the proposal would contribute to the diversity of dwellings in a well-serviced location, the site and immediate area is specifically discouraged for medium and higher density housing given the long history of conflicting land uses in this area.

Planning Policy is explicit in seeking for such developments to be prevented until such time as the abutting industrial area transitions to light industrial or other non-sensitive uses (Clause 16.01-1L).

Based on the above assessment, the proposal will not constitute good and orderly planning of the area and is premature.

Incorporated Documents (Clause 81)

- Australian Standard AS/NZS 2890.1:2004, Parking Facilities – Off-street car parking (Standards Australia, 2004)
- Design Vehicles and Turning Path Templates (Publication AP – 34/95, Austroads, 1995)

Background Documents (Clause 72.08)

- Infrastructure Design Manual (Local Government Infrastructure Design Association, 2019).
- Latrobe City Council Urban Design Guidelines (Hansen Pty Ltd in association with Latrobe City Council, May 2020 and March 2021).
- Live Work Latrobe Housing Strategy (Latrobe City Council, MacroPlan Dimasi, RMCG and Planisphere, May 2019)

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
REPUTATIONAL RISK Supporting an amended application which remains inconsistent with the Latrobe Planning Scheme and Council's Housing Strategy and Housing Framework Plans.	**Medium** *Possible x Minor*	The amended proposal has been considered against the Latrobe Planning Scheme and it is considered to be inconsistent with the relevant provisions and should therefore be refused with appropriately updated refusal grounds.

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*.

Attachments

1. Attachment 1 - Amended Grounds of Refusal
2. Attachment 2 - Amended Plans for Consideration
3. Attachment 3 - Previously considered plans
4. Attachment 4 - Aerial Map of site with amenity buffer
5. Attachment 5 - Policy Assessment
6. Attachment 6 - Clause 55 Assessment
7. Attachment 7 - Clause 56 Assessment

7.4

Consideration of Amended Plans for Planning Permit Application 2022/233 at 23 Dunbar Road, Traralgon

1 Attachment 1 - Amended Grounds of Refusal 612
2 Attachment 2 - Amended Plans for Consideration 614
3 Attachment 3 - Previously considered plans 656
4 Attachment 4 - Aerial Map of site with amenity buffer 692
5 Attachment 5 - Policy Assessment 693
6 Attachment 6 - Clause 55 Assessment 701
7 Attachment 7 - Clause 56 Assessment 727

DRAFT AMENDED REFUSAL GROUNDS 2022/233

Proposal: Development of land with 50 dwellings on a lot, 50 lot subdivision of land and the creation and removal of an easement

23 Dunbar Road, TRARALGON

1. The proposal is inconsistent with the Municipal Planning Strategy and the Planning Policy Framework, specifically Clauses 02.03-7 (Industry) 11.01- 1L (Traralgon), 13.07-1S (Land use compatibility), Clause 15.01-1S and Clause 15.01-1L (Urban Design), Clause 15.01-2S (Building Design), Clause 15.01-3S and Clause 15.01-3L (Subdivision Design), 16.01-1S (Housing supply) and 16.01-1L (Housing supply), which seek to ensure that residential intensification does not prejudice the operation of the Graymont Lime Batching Plant and Janette Street Industrial Precinct are consistent with the relevant objectives of Clause 55.
2. The proposal is inconsistent with the purpose and decision guidelines of the Mixed Use Zone, in that the proposal represents an unreasonable intensification of development that creates unacceptable risk of land use conflict to existing industry.
3. The application is inconsistent with the orderly and proper planning of the area including by seeking an intensification of residential development adjacent to the Janette Street Industrial Precinct and Graymont Lime Batching Plant and therefore fails to provide an acceptable outcome in terms of clause 65.01 and 65.01.
4. The proposal fails to meet the following objectives of Clause 55 and 56 (ResCode):
   a) Clause 55.02-1 – Neighbourhood Character Objectives
   b) Clause 55.02-2 – Residential Policy
   c) Clause 55.02-5 – Integration with the Street Objectives
   d) Clause 55.03-5 – Energy Efficiency Objectives
   e) Clause 55.03-8 – Landscaping Objectives
   f) Clause 55.03-9 – Access Objectives
   g) Clause 55.04-2 – Walls on Boundaries Objective
   h) Clause 55.04-7 – Internal Views Objective
   i) Clause 55.04-8 – Noise impacts Objective
   j) Clause 55.05-5 – Solar Access to Open Space
   k) Clause 56.02-1 – Strategic Implementation
   l) Clause 56.03-4 – Built Environment
   m) Clause 56.04-3 – Solar Orientation
   n) Clause 56.06-2 – Walking and Cycling Network
   o) Clause 56.06-4 – Neighbourhood Street Network

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p) Clause 56.06-5 – Walking and Cycling Network Detail

q) Clause 56.06-7 – Neighbourhood Street Network Detail

5. The proposal results in the loss of trees on neighbouring land in separate ownership. The consent for such impacts has not been obtained by the landowner.

Note: the original refusal grounds were as follows:

a) The proposal is inconsistent with the Municipal Planning Strategy and the Planning Policy Framework, specifically Clauses 02.03-7 (Industry) 11.01- 1L (Traralgon), 13.07-1S (Land use compatibility), 16.01-1S (Housing supply) and 16.01-1L (Housing supply), which seek to ensure that residential intensification does not prejudice the operation of the Graymont Lime Batching Plant and Janette Street Industrial Precinct.

b) The proposal is inconsistent with the purpose and decision guidelines of the Mixed Use Zone, in that the proposal represents an unreasonable intensification of development that creates unacceptable risk of land use conflict to existing industry.

c) The application is considered to be premature in the absence of strategic work that provides support to intensification of residential development adjacent to the Janette Street Industrial Precinct and Graymont Lime Batching Plant.

d) The proposal fails to meet the following objectives of Clause 55 and 56 (ResCode):

i) Clause 55.02-2 – Residential policy

ii) Clause 55.03-9 – Access

iii) Clause 55.04-8 – Noise impacts

iv) Clause 56.03-4 – Built environment

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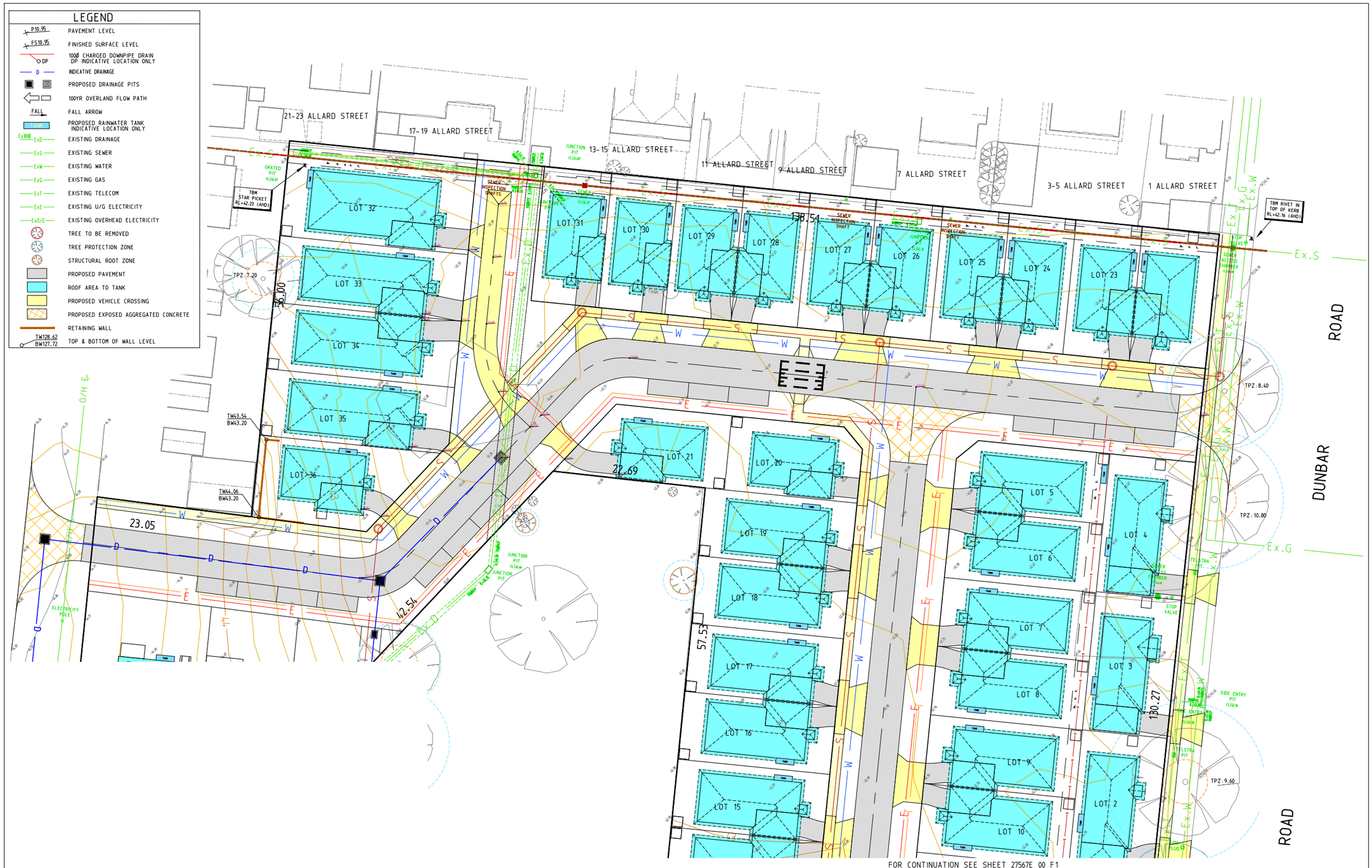

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Drafted	JK	APR 2024
Checked		
Authorised		
Approved by Council		

SUBJECT TO APPROVAL

No.	Revision Description	Design	Authorised	Date

Millar | Merrigan
Land Development Consultants

Civil Engineering
Land Surveying
Landscape Architecture
Project Management
Town Planning
Urban Design

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50 LOT SUBDIVISION
Functional Layout (Sheet 1 of 2)
23 Dunbar Road, Traralgon
Latrobe City Council
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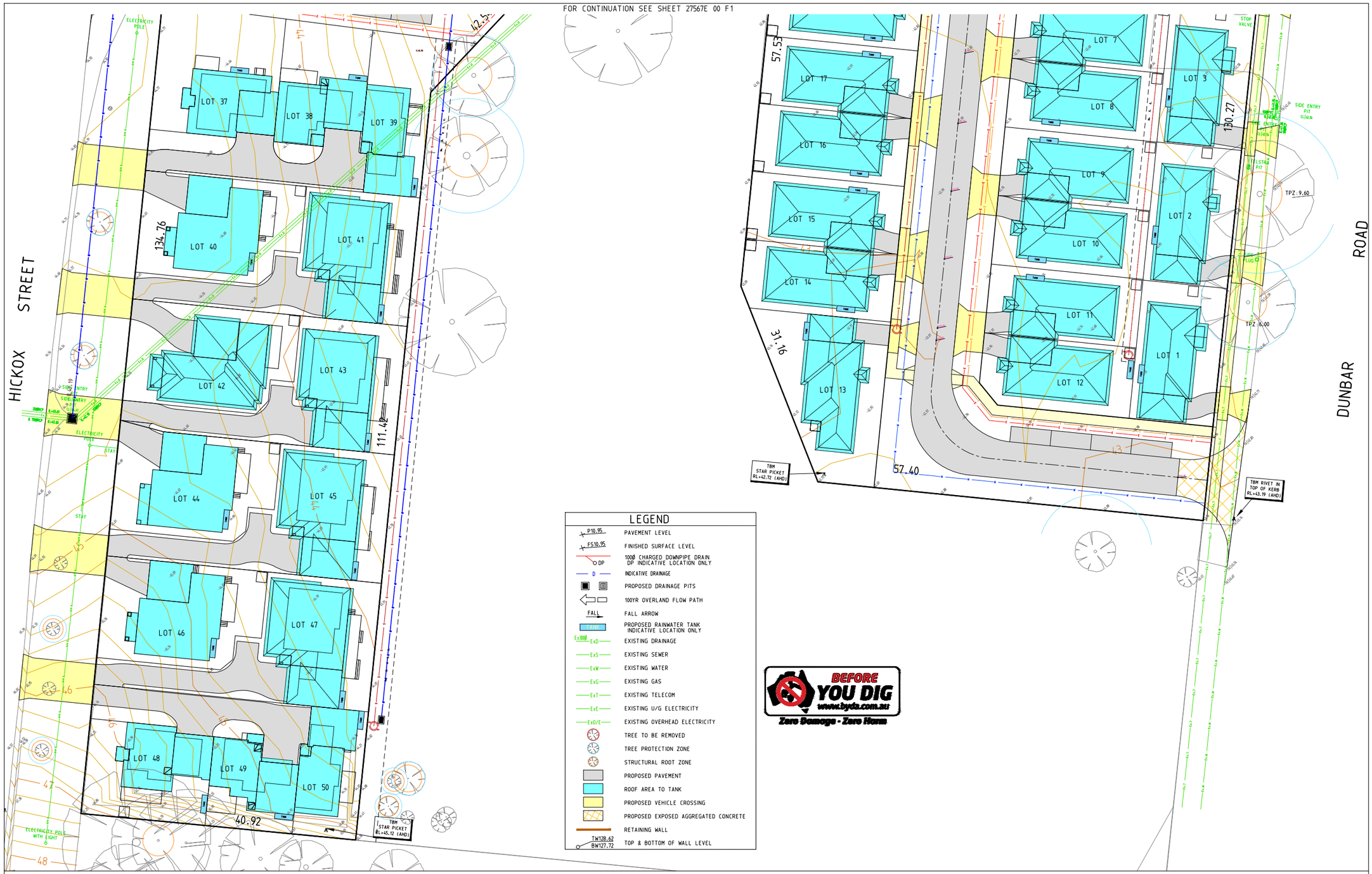
Sheet 1 of 2

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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No.	Revision Description	Design	Authorised	Date

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50 LOT SUBDIVISION
Functional Layout (Sheet 2 of 2)

23 Dunbar Road, Traralgon
Latrobe City Council

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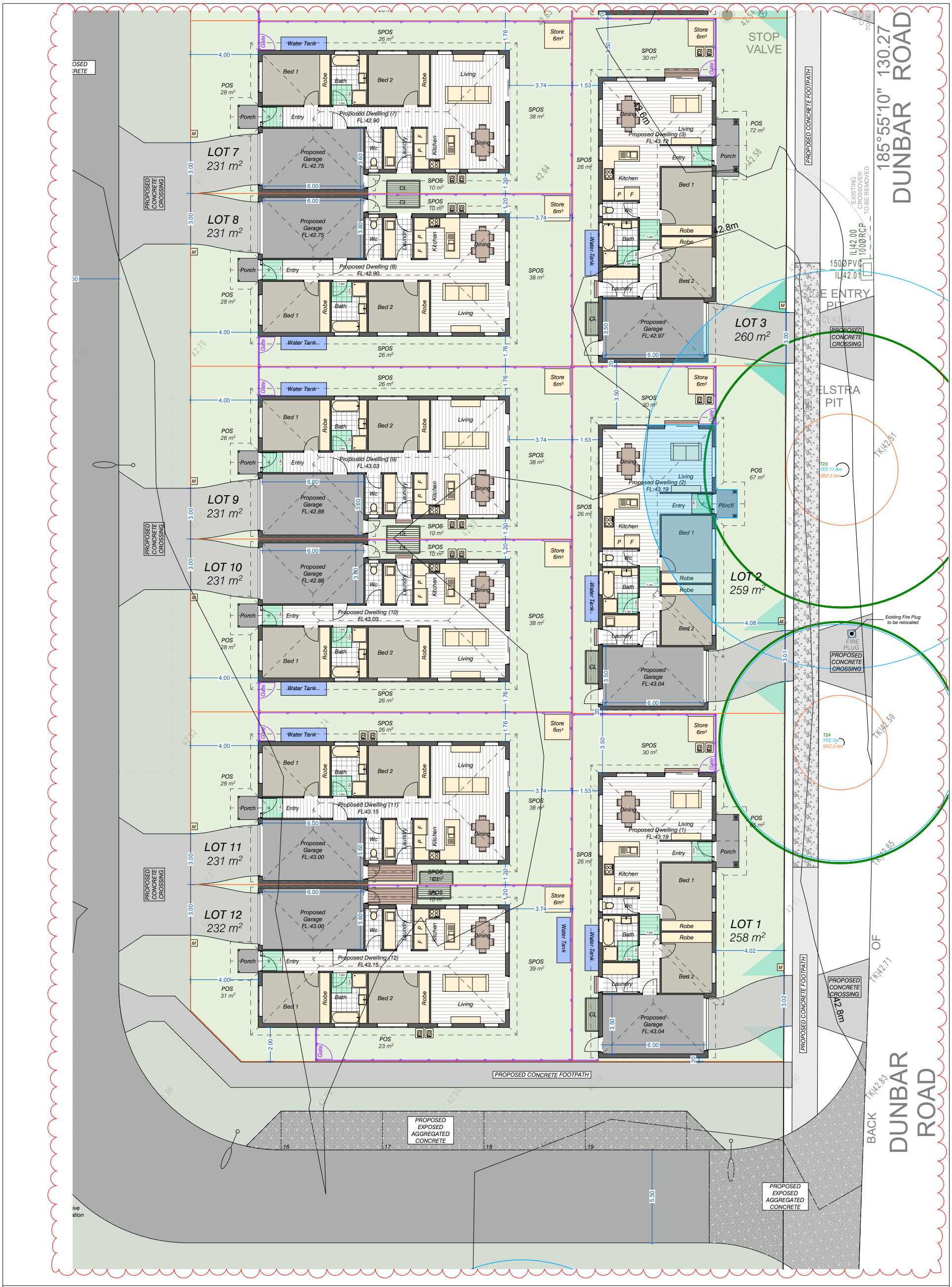
Sheet 2 of 2

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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Version	Description	Drafted	Checked	Issue Date
03	Amendments for VCAT	LB/JDP		05/04/2024
02	Amendments made as requested by council.	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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GROUND FLOOR - DWELLINGS 1-3 & 7-12

PROPOSED DEVELOPMENT
23 DUNBAR ROAD, TRARALGON
LATROBE CITY COUNCIL

27567 P3
Version 3

Document Set ID: 2622884
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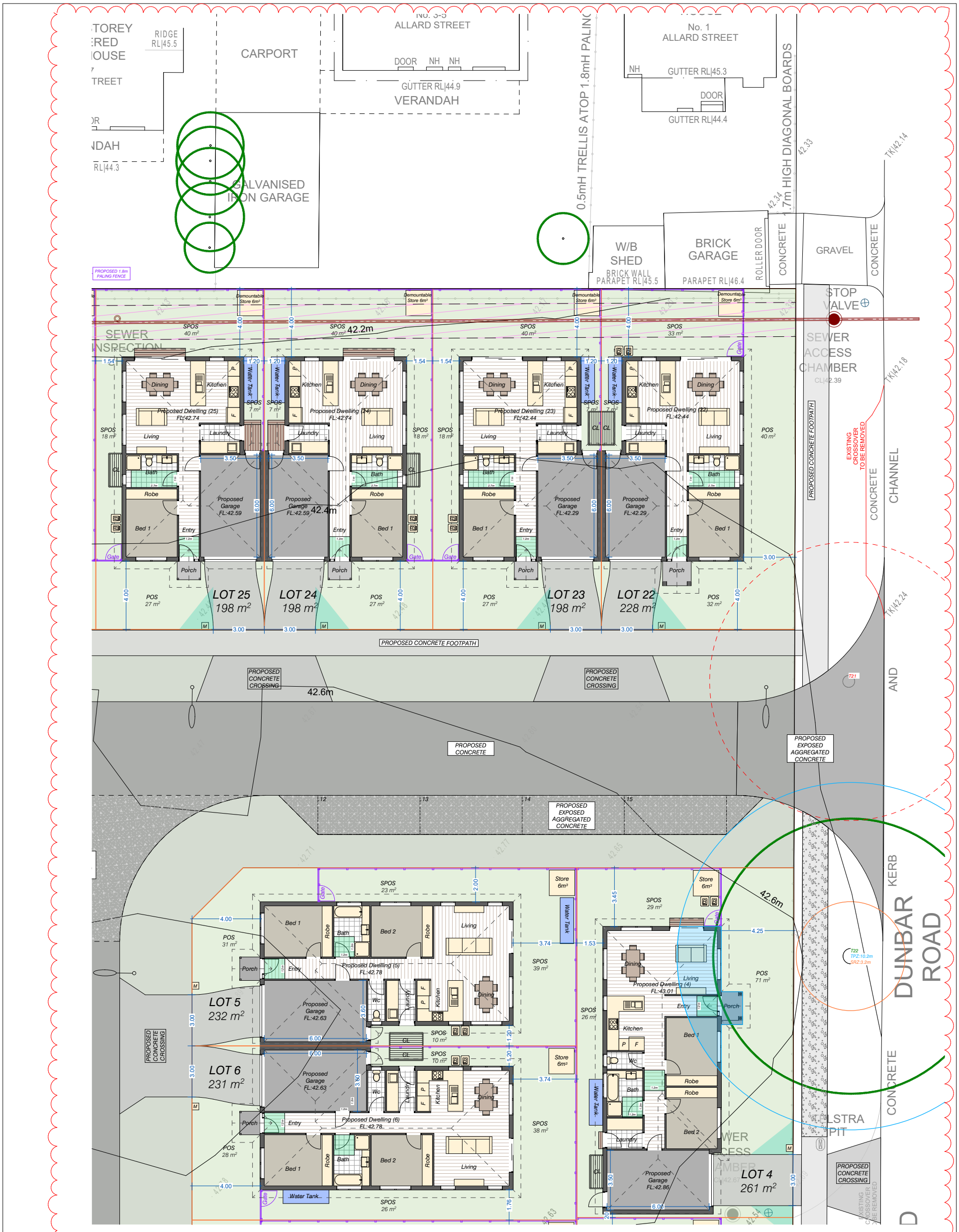

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03	Amendments for VCAT	LB/JDP		05/04/2024
02	Amendments made as requested by council.	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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GROUND FLOOR - DWELLINGS 4-6 & 22-25

PROPOSED DEVELOPMENT

23 DUNBAR ROAD, TRARALGON
LATROBE CITY COUNCIL

27567 P4
Version 3

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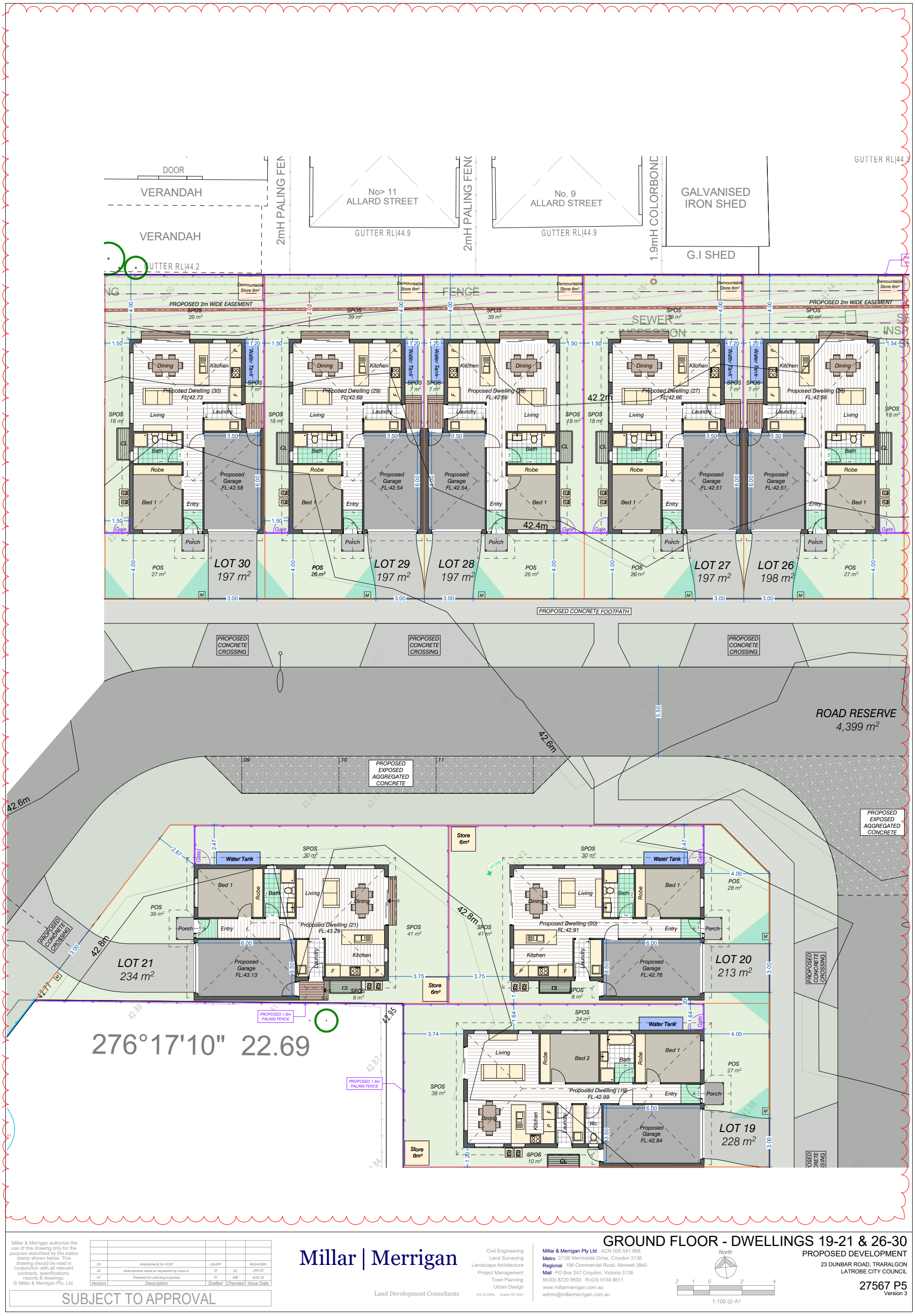

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GROUND FLOOR - DWELLINGS 19-21 & 26-30

PROPOSED DEVELOPMENT
23 DUNBAR ROAD, TRARALGON
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27567 P5
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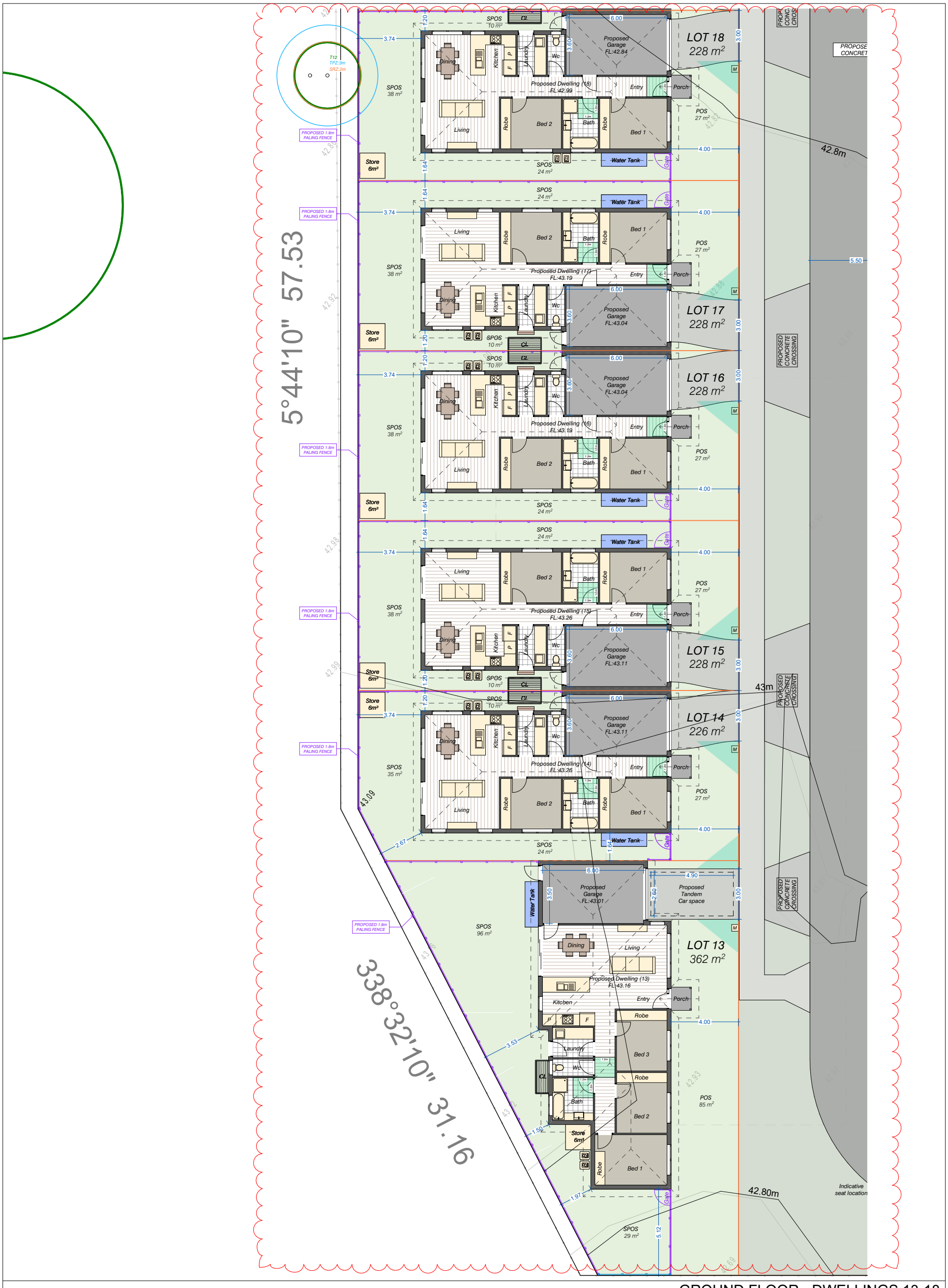

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GROUND FLOOR - DWELLINGS 13-18

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27567 P6
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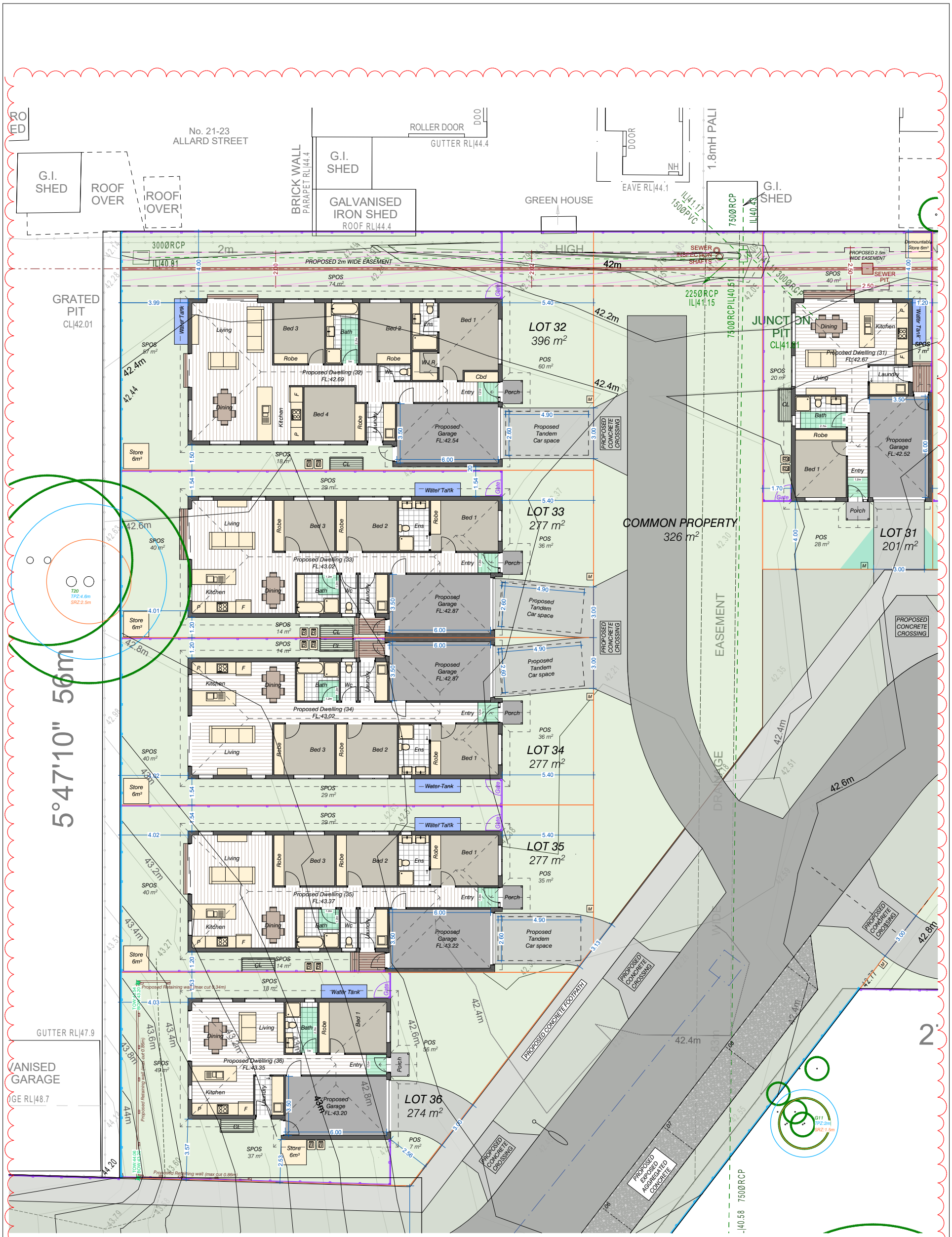

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GROUND FLOOR - DWELLINGS 31-36

PROPOSED DEVELOPMENT
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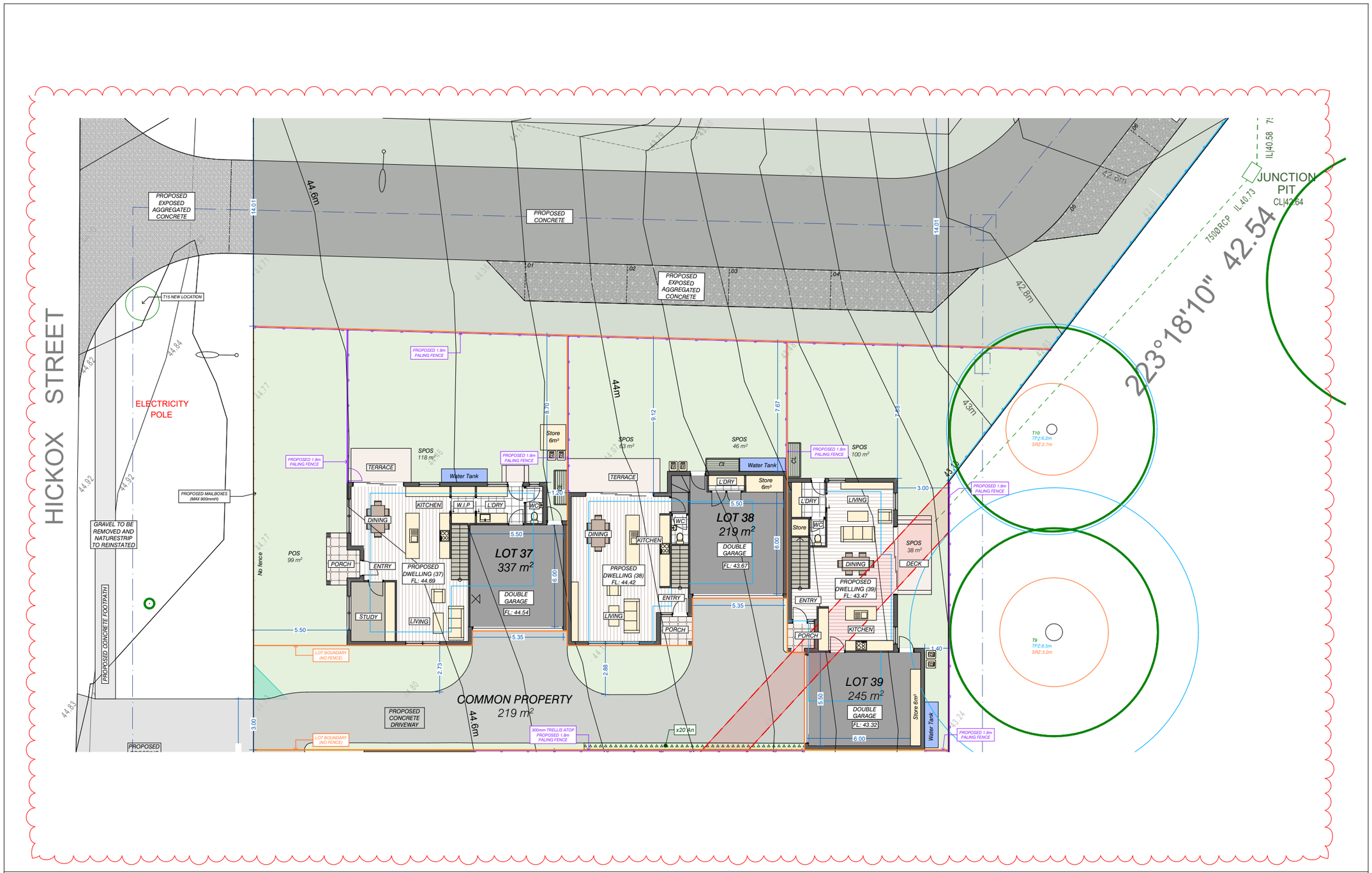

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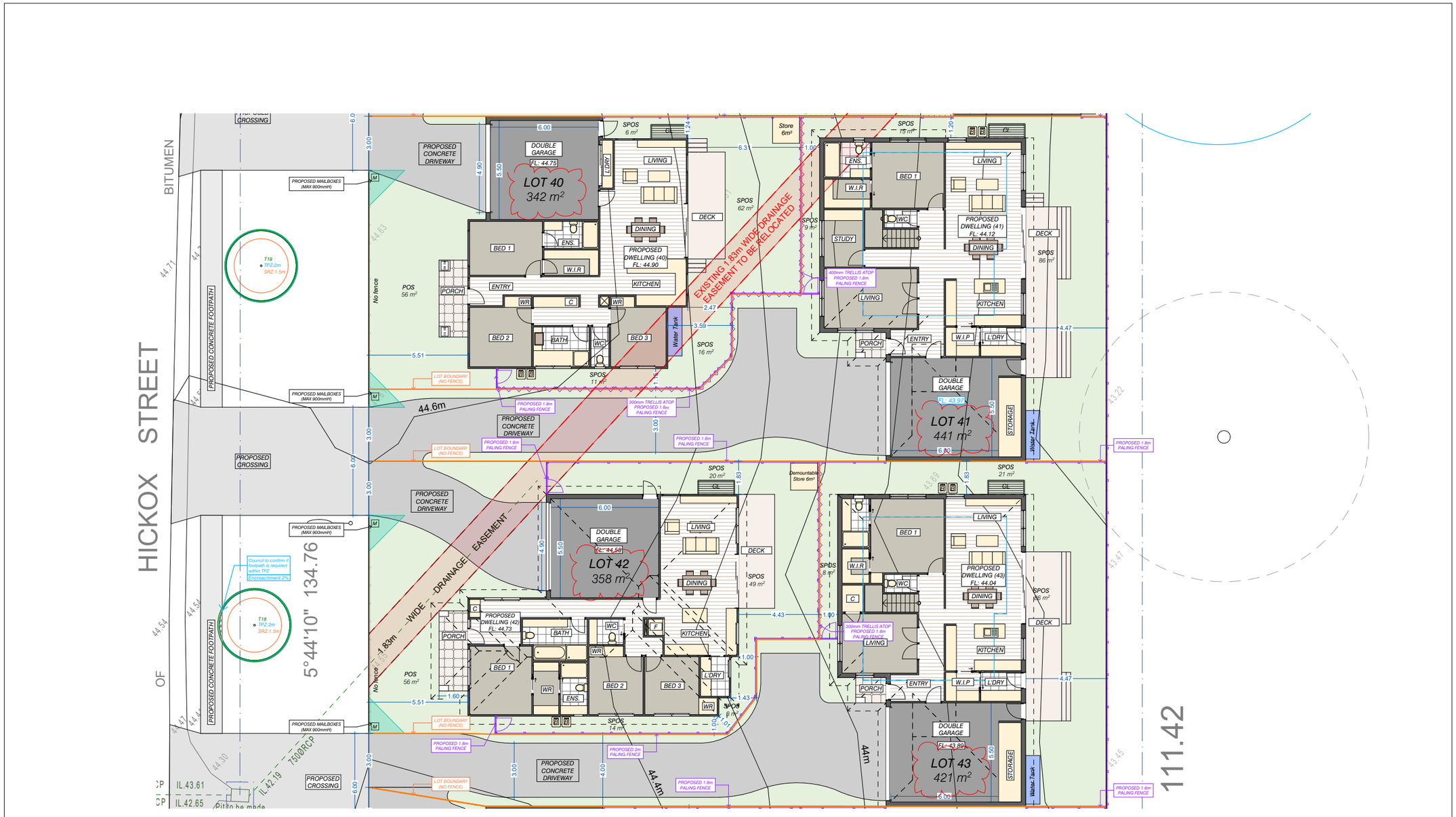
GROUND FLOOR - DWELLINGS 37-39

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P8
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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GROUND FLOOR - DWELLINGS 40-43

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P9
Version 03

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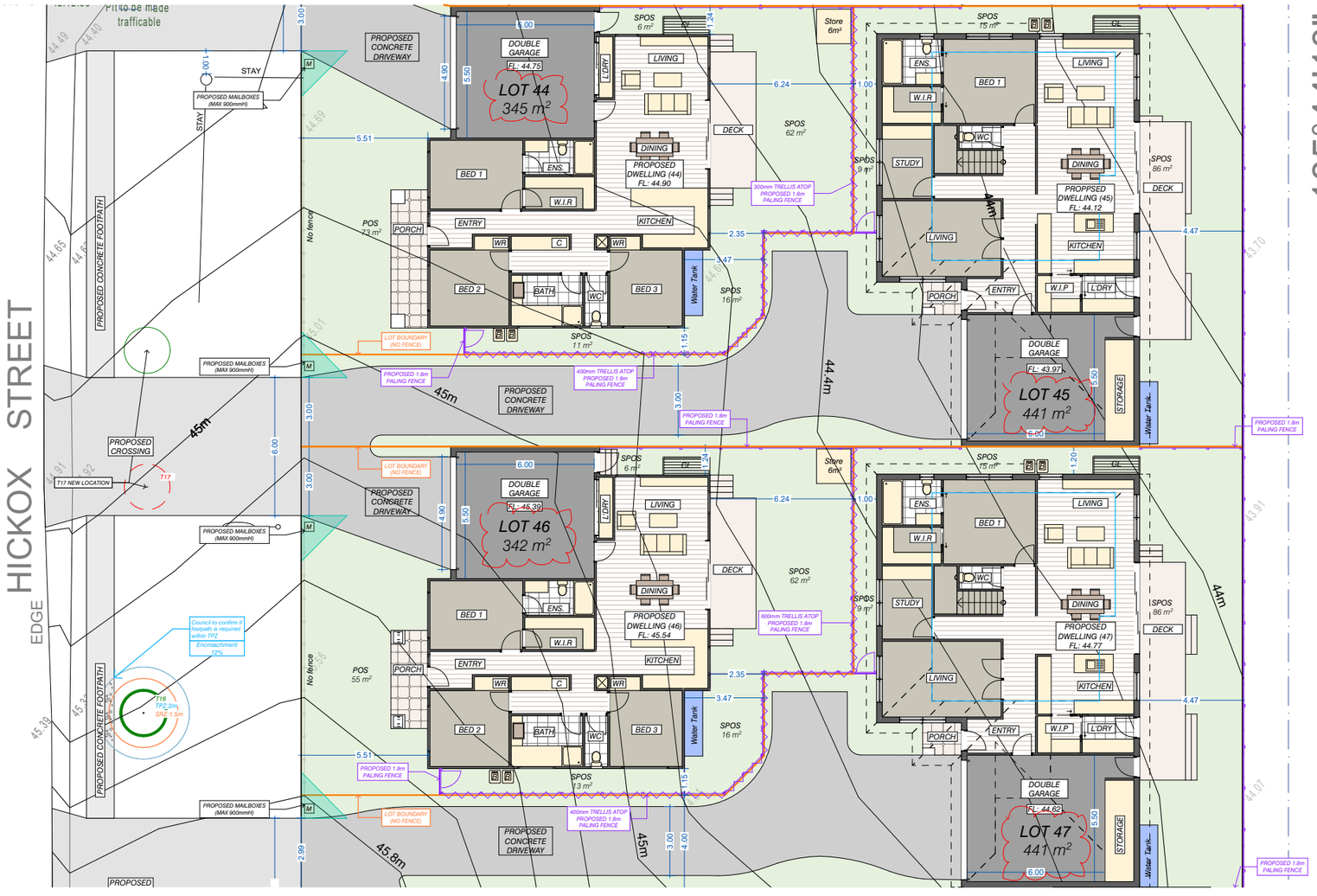

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GROUND FLOOR - DWELLINGS 44-47

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P10
Version 03

Document Set ID: 2622884
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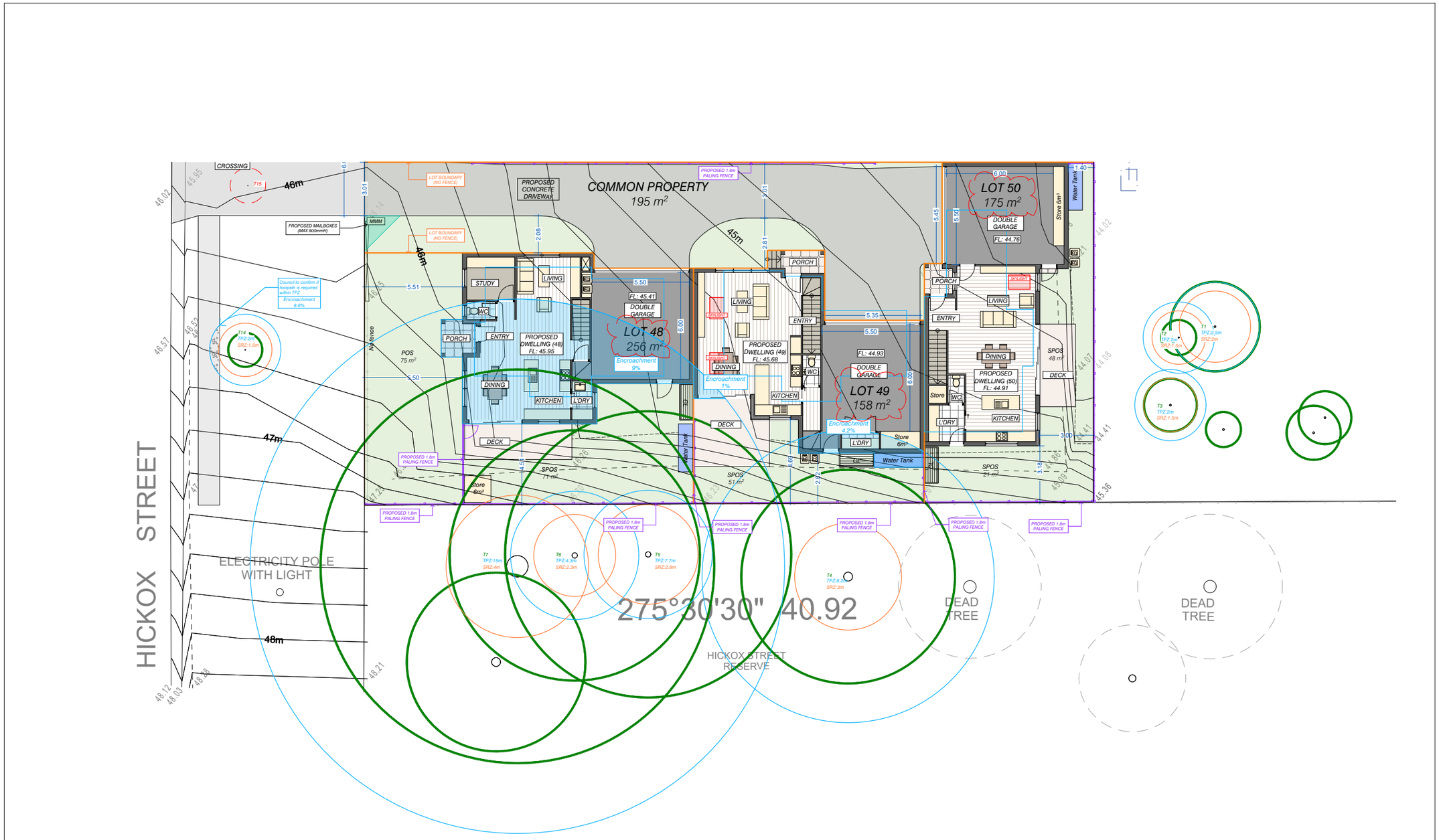

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GROND FLOOR - DWELLINGS 48-50
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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Latrobe City Council
27567 P11
Version 03

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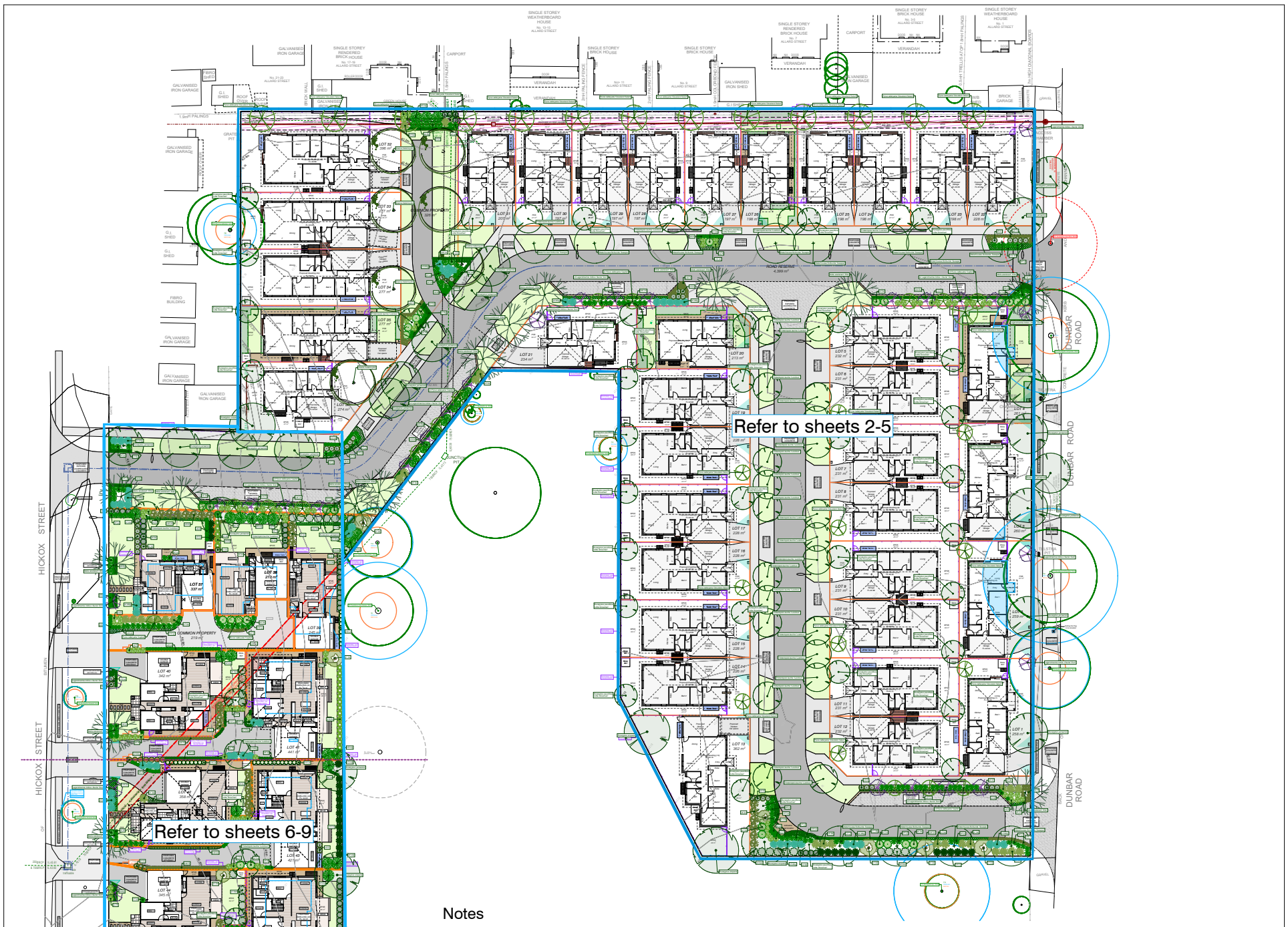
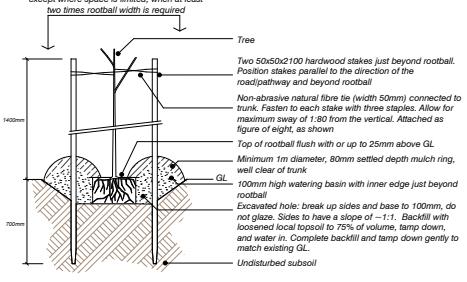


Notes

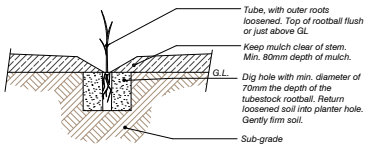
This plan is to be read in conjunction with the 27567F1, the Neighbourhood and Site Plan 27567P1 the Development Plans 27567P2-P23, Request for Further Information 2022/233 dated 12/09/2022, the Letter of Refusal datred 09/08/2023 and the arbortist report completed by Arb Inspect dated 19th December 2022.

1. **WARNING!!** The location of underground services shown on this plan are design locations only. Engage a service location company preferably or contact the appropriate service authorities for as-built locations.
2. **Plant Setout:** Plants indicated on the drawing are set out to scale.
3. **Tree Protection Measures:** To ensure protection of trees to be retained:
   - The Tree Protection Zone (TPZ) should be as recommended in the Arboricultural Report by Arb Inspect dated 19/12/2022
   - The Tree Protection Zone is indicated on the plan as a blue line.
   - The TPZ should be fenced and clearly marked at all times. A 100mm layer of organic mulch should be spread over the TPZ for the construction duration.
   - The fence should be a minimum of 1.5m of parawebbing with 1.5m star pickets every 3-4 metres and single strand support wires top and bottom.
   - If temporary access is required through the TPZ this may be carried out using sheets of heavy plywood. The TPZ should be reinstated immediately afterwards.
   - Any underground service installations should be bored within the TPZ.
   - Soil level should not be altered within the TPZ. This includes storage of existing or imported soils.
   - No building materials should be stockpiled or stored within the TPZ
   - No fuel, oil dumps, chemicals, materials, equipment or temporary buildings shall be allowed in the TPZ and the servicing and re-fuelling of equipment and vehicles should be carried out away from tree root zones. Nothing whatsoever should be attached to the tree including temporary service wires, nails, screws or any other fixing device.
   - Supplementary watering should be provided to all trees through any dry periods during and after the construction process.
   - Any pruning required must be carried out by a trained and competent Arborist to comply with AS 4373 - 2007 Pruning of Amenity Trees.
   - All root excavation should be carried out by hand digging or with the use of 'Air Excavation' techniques and roots should be severed by saw cutting or with a sharp axe and not with a backhoe or any machinery or blunt instrument. Any roots greater than 50mm in diameter must not be severed. If possible excavate under roots to create bridging roots.
4. **Environmental Weeds**: No environmental weeds were identified on site.
5. **General Note on Soil:** Do not work soil when it is wet.
6. **Garden bed preparation:** Spray area with a broad-leafed plant glyphosate-based herbicide if weeds are present. Wait two weeks and respray if all weeds are not dead. Remove spent weeds off-site. Remove any topsoil and store. Ensure no subsoil gets mixed in with the material stored (if no topsoil present, remove ~75mm subsoil) and cultivate subsoil to 150-200mm, mixing in gypsum at 1 kg/sqm. Replace stockpiled topsoil, with gypsum also mixed in (1kg/sqm). Shape soil, ensuring drainage is away from buildings. Final soil level should be 50mm above the normal (non garden bed) grade. Plant out garden bed, using 5-10g Osmocote or similar (slow-release form) - ensure the fertiliser used is the correct one for the plant species i.e. if there are indigenous/native plants ensure that the fertiliser used has the correct NPK ratio.
7. **Garden edging:** Garden edging is to be installed between garden beds, gravel paths and lawn areas. Edging is to be a timber edge product or similar and is to be fixed in place with stakes. Where available use recycled and/or sustainable products.
8. **Tubestock & Shrub Planting Procedure**: Ensure rootballs are moist before planting. Plant tubestock and shrubs as per detail. Place suitable slow release fertiliser in base of hole and mix thoroughly with broken up soil. Water well immediately after planting and ensure all ties, labels etc attached to the plant are removed.
9. **Tree Planting Procedure:** Ensure rootballs are moist before planting. Plant trees as per detail. Add 10-15g Terracottem or equivalent slow-release fertiliser at the time of planting, again ensuring the correct fertiliser for the trees selected is used. Trees are to be watered in well immediately after planting. Importing topsoil for tree planting is to be avoided. Ensure all ties, labels or any other item attached to the trees are removed prior to planting.
10. **Mulch:** Mulch may be either a non-leafy mulch such as pine-bark or Euca mulch or a non-combustible mulch such as sustainably sourced pebbles, recycled bricks or similar. Timber mulch must conform with AS 4454-2003, and have 80% of particles in the size range 6-10mm in plan, and 5-10mm in thickness. No particle is to exceed 25mm in plan and avoid the use of rare timbers as mulch. Evenly spread 80mm (min.) depth of approved mulch to all garden beds, and tree watering basins after planting operations. Mulch to be kept away from tree trunks and plant stems to prevent collar-rot. It is recommended that rock based mulch is to be used around the dwelling as it reduces the fire risk.
11. **Lawn repair:** Aerate and top dress existing lawn with 10mm sandy loam (optional) and rake out flat. Sow grass using a hardy non invasive blend (with added fertiliser) to product specifications. Use environmentally friendly and sustainable products.
12. **Lawn**: Loosen soil to minimum 150mm depth. Ensure no ponding and that drainage is away from dwellings/buildings. Top dress with 20mm sandy loam and sow seed (with added fertiliser) using a hardy non invasive species or blend (with added fertilizer). Recommended species include but are not restricted to *Festuca arundinaceae* Tall Fescue, *Poa pratensis* Kentucky Blue-grass, *Dicantheum sericeum* Queensland Blue-grass, *Microlaena stipoides* Weeping Grass or *Bothriochloa macra* Red-leg Grass. Use environmentally friendly and sustainable products.
13. **Fencing:** Proposed paling fences are indicated between dwellings as labelled.
14. **Retaining walls:** Are proposed to be sustainably sourced sleepers or alternative products such as brick blocks.
15. **Gravel pathways:** Are proposed using sustainably sourced materials.
16. **Water Tanks:** All water tanks located off dwelling walls are to be charged.
17. **Irrigation:** No irrigation is proposed - plants selected are water wise and the majority are indigenous or native. Additional watering may be required during initial planting and extended dry periods. The provision of water tanks will harvest and supply rainwater to be utilised for this purpose.
18. **Maintenance:** Is required on all landscaping works for a period of 2 years. Maintenance includes but is not restricted to regular weeding, watering, pruning, re-staking and re-tying of trunks, regular replacement of dead stock, edging and mowing of all grassed areas. Mulch is to be topped up as necessary. Trees are to be healthy, straight, well formed and structured, disease free with a strong central leader.

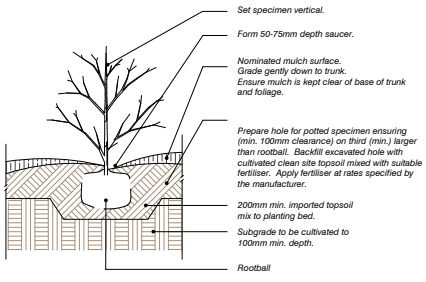


Notes:
1. *All labels and binding materials such as ties and twine to be removed from tree before planting.*
2. *If a soil profile is present, store layers separately and return soil once ready with the soil profile as intact as possible.*
3. *Tease out outer roots and cut away pot-bound roots (the latter should be low in proportion; if not, reject it)*
4. *Water immediately following planting, and fill basin twice.*
5. *Leave area clean and tidy, removing weeds and excess soil.*

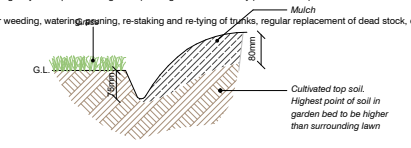
1 Staked Tree
Typical Planting Detail — Not to Scale



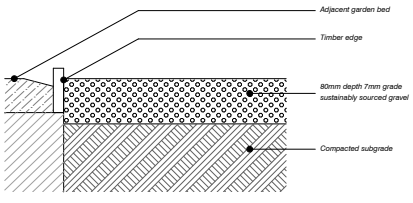
2 Tubestock Planting
Typical Planting Detail — Not to Scale



3 Potted Plant
Typical Planting Detail — Not to Scale



4 Spade Edge
Typical Detail — Not to Scale



5 Gravel Path
Typical Surface Detail — Not to Scale

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3.	Amended for VCAT proposal	LR	IS/JG	Apr 2024
2.	Amended as per RFI 2022/233 dated 12/09/2022	LR	IS	Dec 2022
1.	Prepared for planning purposes	LR	IS	July 2022

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OVERALL CONTEXT LANDSCAPE PLAN
PROPOSED DEVELOPMENT
23 Dunbar Road, Traralgon
Latrobe City Council

27567 L01
Version 3
Sheet 1 of 9

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

REFER TO SHEET 1 FOR OVERALL CONTEXT LANDSCAPE PLAN, NOTES & DETAILS

PLEASE REFER TO LOTS 37-50 FOR THE STYLE OF PLANTING THAT WILL BE PROPOSED FOR LOTS 1-36. TREE LOCATIONS WITHIN LOTS 1-36 ARE INDICATIVE

Legend

- Existing tree to be retained
- Existing tree with TPZ & SRZ
- Tree to be removed
- Proposed indigenous/native tree
- Proposed deciduous/ornamental tree
- Proposed shrubs
- Proposed strappy leaf plants
- Proposed groundcovers/climbers
- Store — Proposed storage area
- WTank — Proposed water tank
- Proposed gravel pathway
- Proposed terrace/porch
- Building (as labelled)
- Proposed concrete driveway
- Proposed concrete road
- Proposed exposed aggregate road
- Proposed lawn as labelled
- Proposed clothes line
- MT — Letter box, bins
- Proposed retaining walls (as labelled)
- Proposed paling fence (as labelled)
- Existing fence
- Proposed trellis
- Site boundary
- Proposed spot level, existing spot level
- Existing services.
- Contours to AHD, 0.2m intervals
- Indicative light pole locations - spaced at maximum 45m spacings
- Indicative seat location
- Stepping Pavers
- Proposed deck
- Proposed landing/steps

Planting Schedule - Streetscape

Sym	Qty	Code	Botanical Name	Common Name	H x W (m)	Pot Size
TREES						
	3	named	*Acacia melanoxylon**	Blackwood	15.0 x 8.0	45L
	2	named	*Eucalyptus pauciflora 'Little Snowman'*	Dwarf Snow Gum	7.0 x 4.0	27L
	1	named	*Eucalyptus scoparia*	Wallangarra White Gum	12.0 x 8.0	45L
	11	named	*Eucalyptus yarraensis**	Yarra Gum	20.0 x 7.0	45L
	19	named	*Lagerstroemia indica x fauriei 'Zuni'*	Crepe Myrtle cultivar	4.0 x 3.0	16L
	11	named	*Melia azedarach 'Elite'*	White Cedar cultivar	10.0 x 8.0	16L
	14	named	*Pyrus calleryana 'Capital'*	Ornamental Pear cultivar	11.0 x 3.0	16L
	1	named	*Pyrus calleryana 'Cleveland Select'*	Ornamental Pear cultivar	11.0 x 5.0	16L
	22	named	*Tristaniopsis laurina 'Luscious'*	Kanooka Gum	10.0 x 5.0	45L
	12	named	*Waterhousea floribunda 'Sweeper'*	Weeping Lilly Pilly	10.0 x 7.0	45L
SHRUBS						
	21	Ca	*Correa alba*	White Correa	1.5 x 1.5	140mm
	30	Cr	*Correa relexa**	Common Correa	1.0 x 1.0	140mm
	1	Cd	*Callistemon 'Dawson River Weeper'*	Bottlebrush cultivar	4.0 x 2.0	140mm
	3	Ck	*Callistemon 'Kings Park Special'*	Bottlebrush cultivar	5.0 x 3.0	140mm
	12	Cs	*Callistemon 'Slim'*	Bottlebrush cultivar	3.0 x 1.3	140mm
	6	Dv	*Dodonaea viscosa 'Purpurea'*	Purple Hop Bush	3.0 x 1.5	140mm
	20	Ga	*Grevillea alpina*	Alpine Grevillea	1.5 x 1.5	140mm
	3	Lcg	*Leptospermum polygalifolium 'Copper Glow'*	Tea-tree cultivar	3.0 x 2.0	140mm
	8	Sb	*Syzygium australe 'Backyard Bliss'*	Lillypilly cultivar	3.0 x 1.0	140mm
	11	Ssd	*Syzygium australe 'Sunset Delight'*	Lillypilly cultivar	3.0 x 1.5	140mm
	31	Wbg	*Westringia hybrid 'Blue Gem'*	Native Rosemary	1.5 x 1.3	140mm
STRAPPY LEAF PLANTS & GROUNDCOVERS						
	68	An	*Acaena novae-zelandiae*	Bidgee Widgee	0.1 x 2.0	tube
	49	Dl	*Dianella longifolia**	Pale Flax-lily	0.5 x 0.5	tube
	19	Dt	*Dianella tasmanica**	Tasman Flax-lily	1.5 x 1.2	tube
	96	Eg	*Eremophila glabra 'Blue Horizon'*	Emu Bush cultivar	0.25 x 1.5	tube
	96	Le	*Lomandra 'Evergreen Baby'*	Mat-rush cultivar	0.45 x 0.45	tube
	93	Lp	*Lomandra 'Pacific Sky'*	Mat-rush cultivar	0.7 x 0.9	tube
	46	Pl	*Poa labillardieri**	Common Tussock Grass	0.8 x 1.0	tube
	94	Tt	*Themeda triandra**	Kangaroo Grass	0.75 x 0.5	tube
	125	Vh	*Viola hederacea**	Native Violet	0.1 x 1.0	tube

Note: Plants marked * are to be local provenance stock, purchased from a local indigenous nursery.
Indigenous plant nurseries able to provide local provenance plant stock include:
- Gippsland Plains Nursery: 133 Hawkins Road, Longford Victoria 3851 - Ph: 5146 4252
- Woolenook Native Pland Nursery: 682 Stratford-Maffra Road, Maffra Victoria 3860 - Ph: 5147 1897
- Eucacia Native Nursery: 121 Sheehan Road, Yarragon Vic 3823 - Ph: 5634 2260

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2.	Amended as per RFI 2022/233 dated 12/09/2022	LR	IS	Dec 2022
1.	Prepared for planning purposes	LR	IS	July 2022

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OVERALL LANDSCAPE PLAN

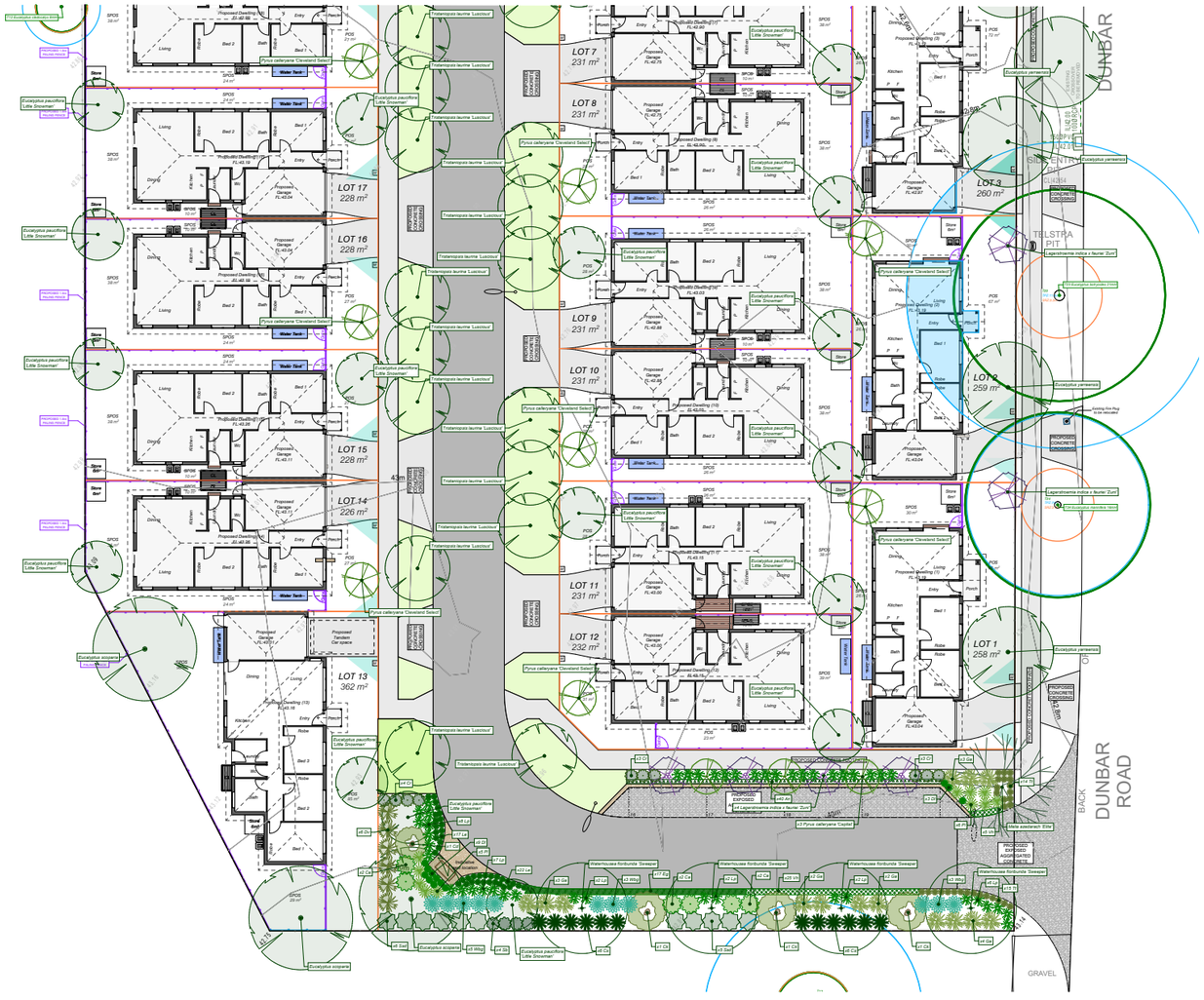
PROPOSED DEVELOPMENT
23 Dunbar Road, Traralgon
Latrobe City Council

27567 L02
Version 3
Sheet 2 of 9

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

REFER TO SHEET 1 FOR OVERALL CONTEXT
LANDSCAPE PLAN, NOTES & DETAILS

REFER TO SHEET 5



Legend

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- Existing tree with TPZ & SRZ
- Tree to be removed
- Proposed indigenous/native tree
- Proposed deciduous/ornamental tree
- Proposed shrubs
- Proposed strappy leaf plants
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- Proposed storage area
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- Contours to AHD, 0.2m intervals
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LANDSCAPE PLAN
PROPOSED DEVELOPMENT
23 Dunbar Road, Traralgon
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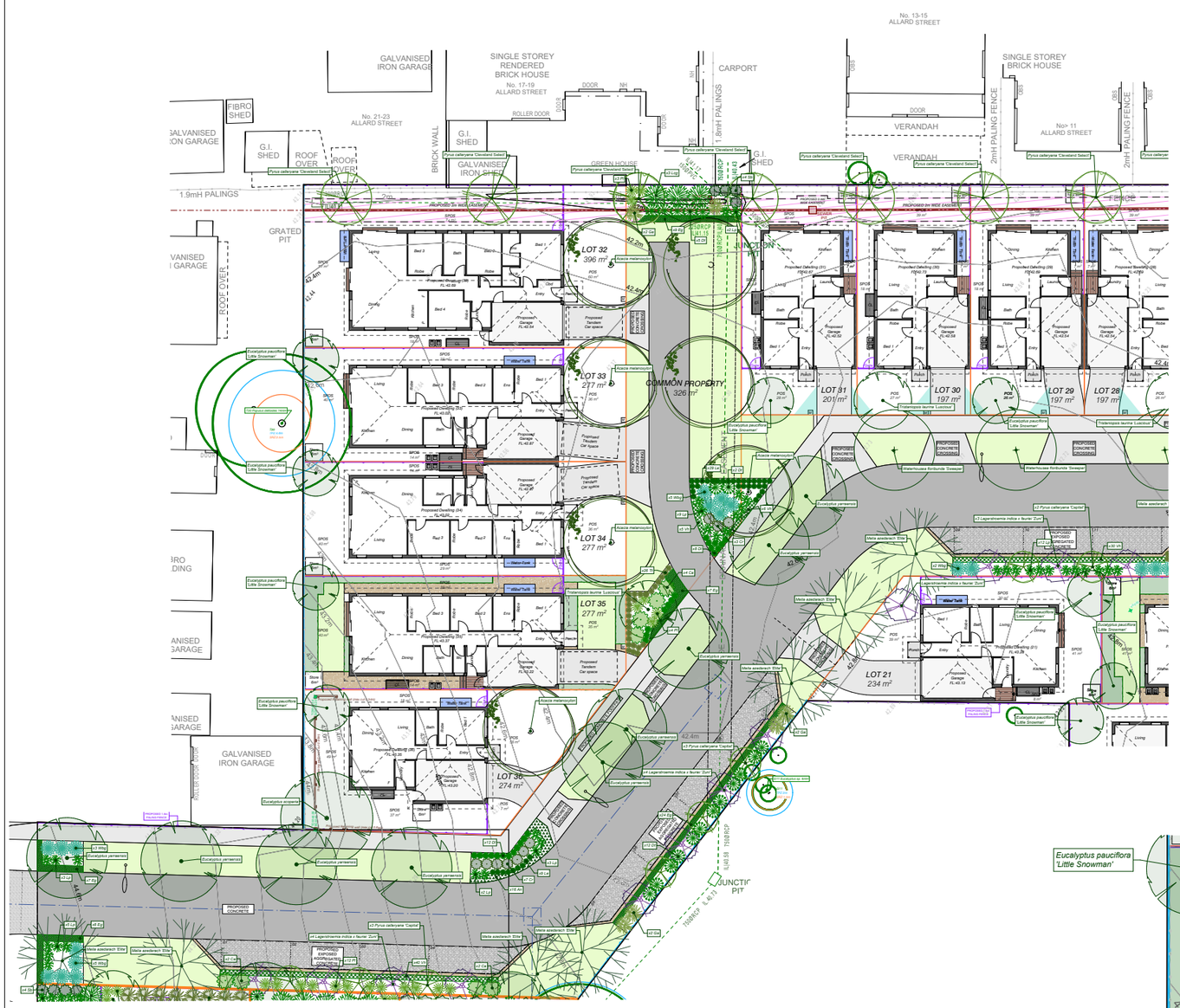
27567 L03
Version 3
Sheet 3 of 9

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

REFER TO SHEET 1 FOR OVERALL CONTEXT LANDSCAPE PLAN, NOTES & DETAILS



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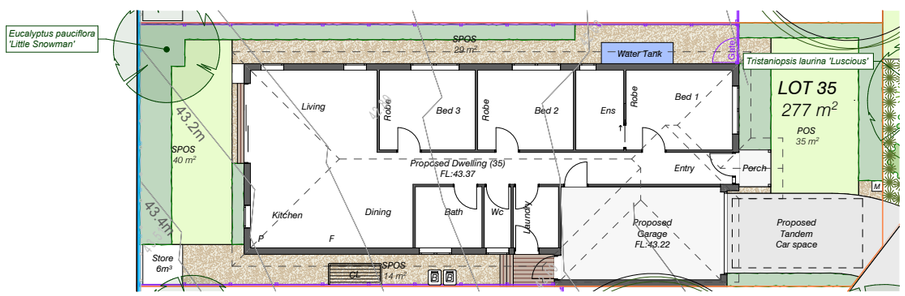
INDICATIVE LOT LAYOUT EXAMPLES AT 1:100



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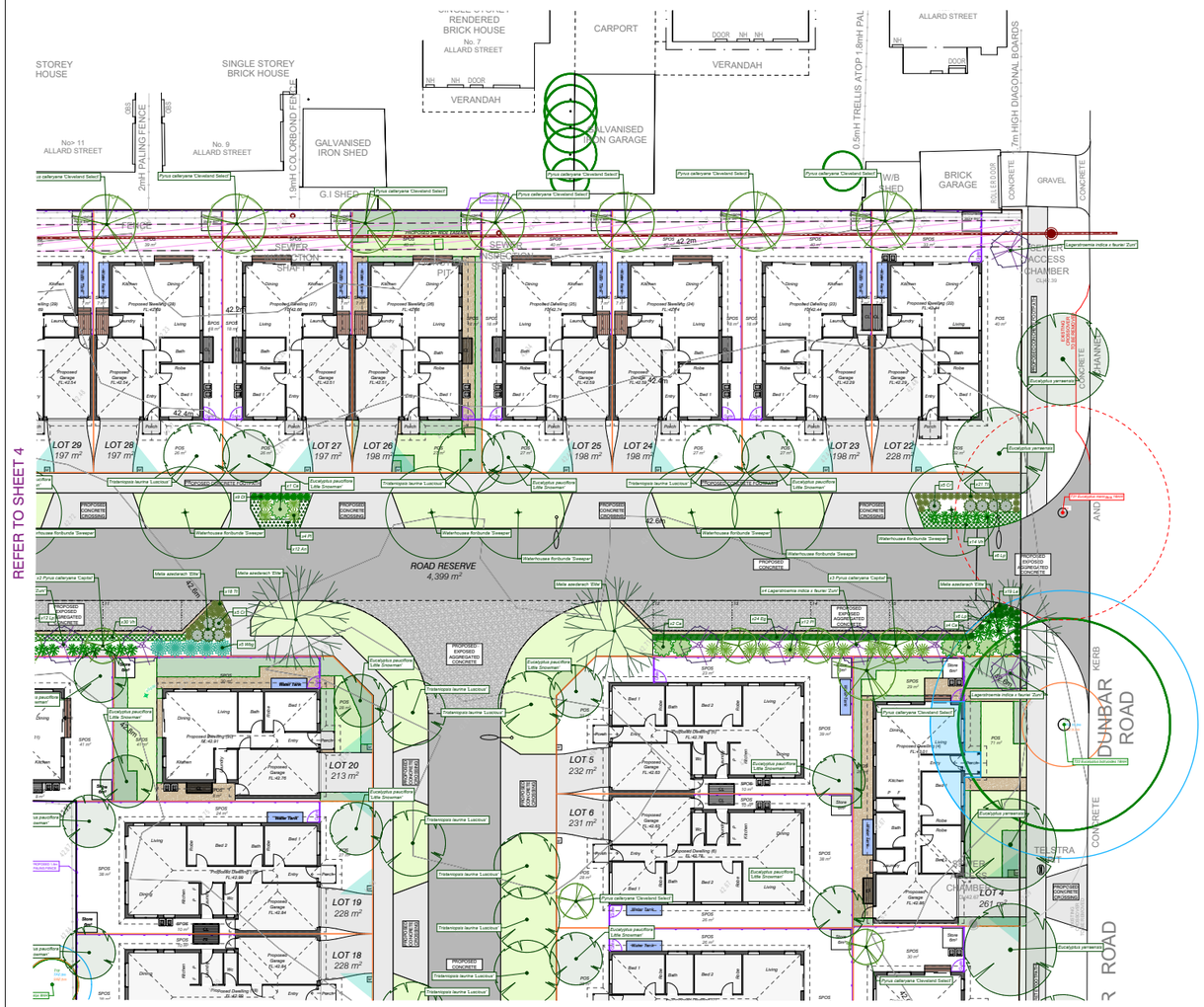
LANDSCAPE PLAN
PROPOSED DEVELOPMENT
23 Dunbar Road, Traralgon
Latrobe City Council

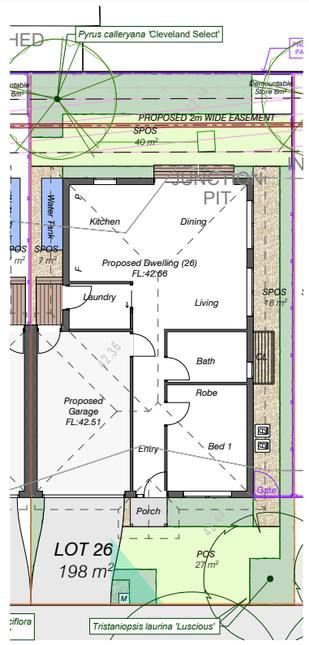
27567 L04
Version 3
Sheet 4 of 9

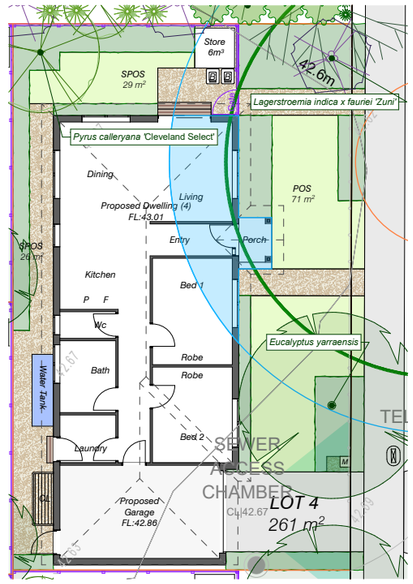
Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

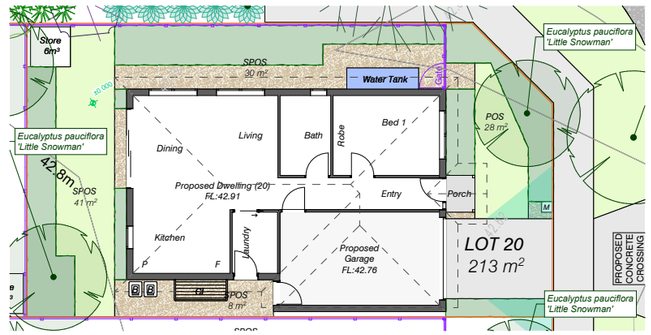
REFER TO SHEET 1 FOR OVERALL CONTEXT LANDSCAPE PLAN, NOTES & DETAILS



INDICATIVE LOT LAYOUT EXAMPLES AT 1:100







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LANDSCAPE PLAN
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23 Dunbar Road, Traralgon
Latrobe City Council

27567 L05
Version 3
Sheet 5 of 9

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

REFER TO SHEET 1 FOR OVERALL CONTEXT LANDSCAPE PLAN, NOTES & DETAILS

Planting Schedule - Lots 37-50 & Common Property

Sym	Qty	Code	Botanical Name	Common Name	H x W (m)	Pot Size
TREES						
	4	named	*Eucalyptus pauciflora 'Little Snowman'*	Dwarf Snow Gum	7.0 x 4.0	27L
	1	named	*Eucalyptus scoparia*	Wallangarra White Gum	12.0 x 8.0	45L
	5	named	*Eucalyptus yarraensis**	Yarra Gum	20.0 x 7.0	45L
	6	named	*Lagerstroemia indica x fauriei 'Zuni'*	Crepe Myrtle cultivar	4.0 x 3.0	16L
	6	named	*Melia azedarach 'Elite'*	White Cedar cultivar	10.0 x 8.0	16L
	4	named	*Pyrus calleryana 'Capital'*	Ornamental Pear cultivar	11.0 x 3.0	16L
	6	named	*Tristaniopsis laurina 'Luscious'*	Kanooka Gum	10.0 x 5.0	45L
SHRUBS						
	4	Ag	*Acacia genistifolia**	Spreading Wattle	3.0 x 2.0	140mm
	16	Ca	*Correa alba*	White Correa	1.5 x 1.5	140mm
	31	Cr	*Correa relexa**	Common Correa	1.0 x 1.0	140mm
	4	Cd	*Callistemon 'Dawson River Weeper'*	Bottlebrush cultivar	4.0 x 2.0	140mm
	1	Ck	*Callistemon 'Kings Park Special'*	Bottlebrush cultivar	5.0 x 3.0	140mm
	23	Cs	*Callistemon 'Slim'*	Bottlebrush cultivar	3.0 x 1.3	140mm
	40	Dv	*Dodonaea viscosa 'Purpurea'*	Purple Hop Bush	3.0 x 1.5	140mm
	37	Ed	*Eremophila deserti*	Turkey Bush	4.0 x 1.0	140mm
	11	Ga	*Grevillea alpina*	Alpine Grevillea	1.5 x 1.5	140mm
	42	Js	*Juniperus scopulorum 'Skyrocket'*	Rocky Mountain Juniper	1.5 x 1.5	140mm
	18	Lcg	*Leptospermum polygalifolium 'Copper Glow'*	Tea-tree cultivar	3.0 x 2.0	140mm
	48	Sb	*Syzygium australe 'Backyard Bliss'*	Lillypilly cultivar	3.0 x 1.0	140mm
	31	Ssd	*Syzygium australe 'Sunset Delight'*	Lillypilly cultivar	3.0 x 1.5	140mm
	20	Wbg	*Westringia hybrid 'Blue Gem'*	Native Rosemary	1.5 x 1.3	140mm
STRAPPY LEAF PLANTS & GROUNDCOVERS						
	86	An	*Acaena novae-zelandiae*	Bidgee Widgee	0.1 x 2.0	tube
	129	Dl	*Dianella longifolia**	Pale Flax-lily	0.5 x 0.5	tube
	19	Dt	*Dianella tasmanica**	Tasman Flax-lily	1.5 x 1.2	tube
	22	Eg	*Eremophila glabra 'Blue Horizon'*	Emu Bush cultivar	0.25 x 1.5	tube
	127	Le	*Lomandra 'Evergreen Baby'*	Mat-rush cultivar	0.45 x 0.45	tube
	78	Lp	*Lomandra 'Pacific Sky'*	Mat-rush cultivar	0.7 x 0.9	tube
	59	Pl	*Poa labillardieri**	Common Tussock Grass	0.8 x 1.0	tube
	91	Tt	*Themeda triandra**	Kangaroo Grass	0.75 x 0.5	tube
	67	Vh	*Viola hederacea**	Native Violet	0.1 x 1.0	tube

Note: Plants marked * are to be local provenance stock, purchased from a local indigenous nursery.
Indigenous plant nurseries able to provide local provenance plant stock include:
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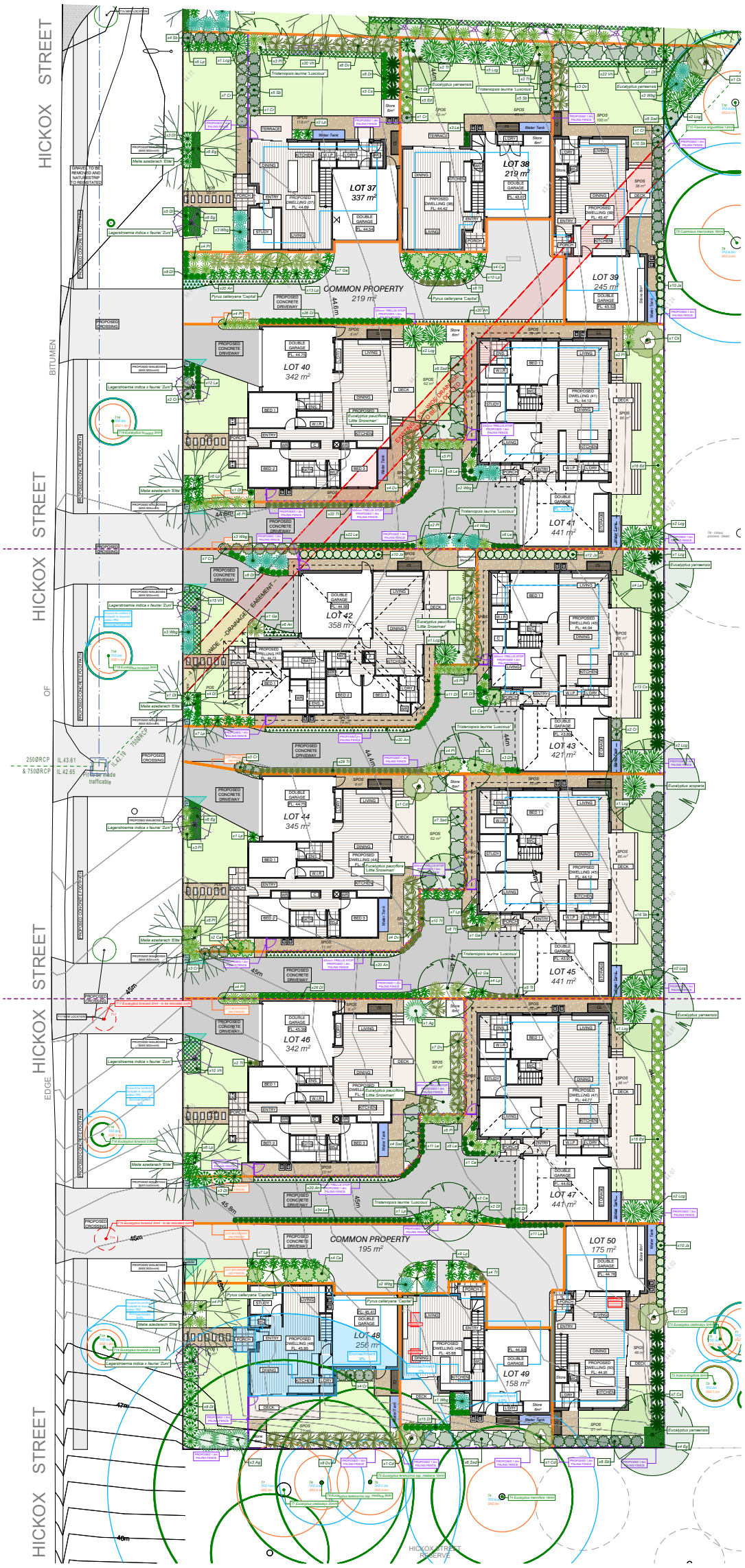

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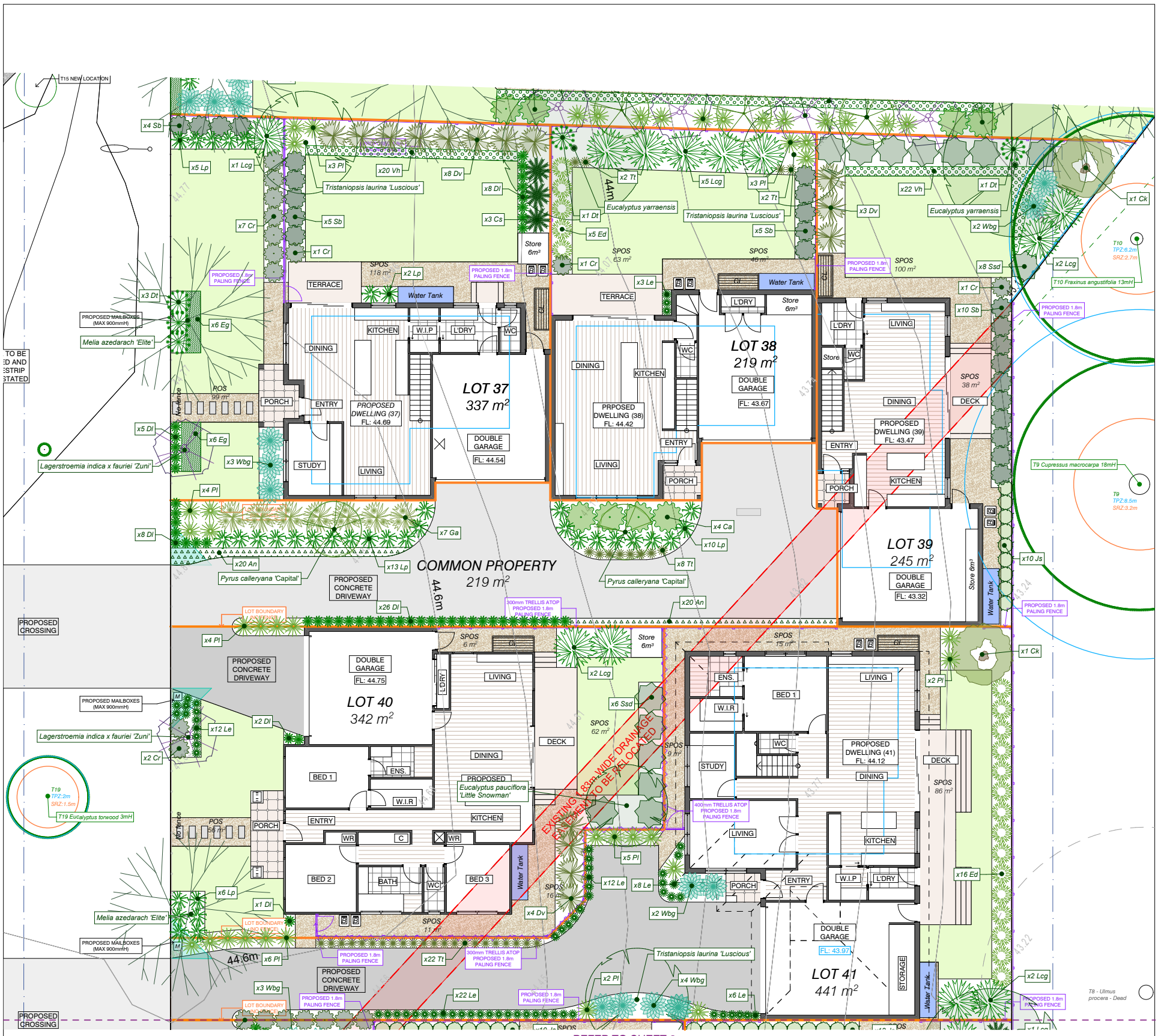
LANDSCAPE PLAN
PROPOSED DEVELOPMENT
23 Dunbar Road, Traralgon
Latrobe City Council
27567 L06
Version 3
Sheet 6 of 9

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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REFER TO SHEET 1 FOR OVERALL CONTEXT LANDSCAPE PLAN, NOTES & DETAILS

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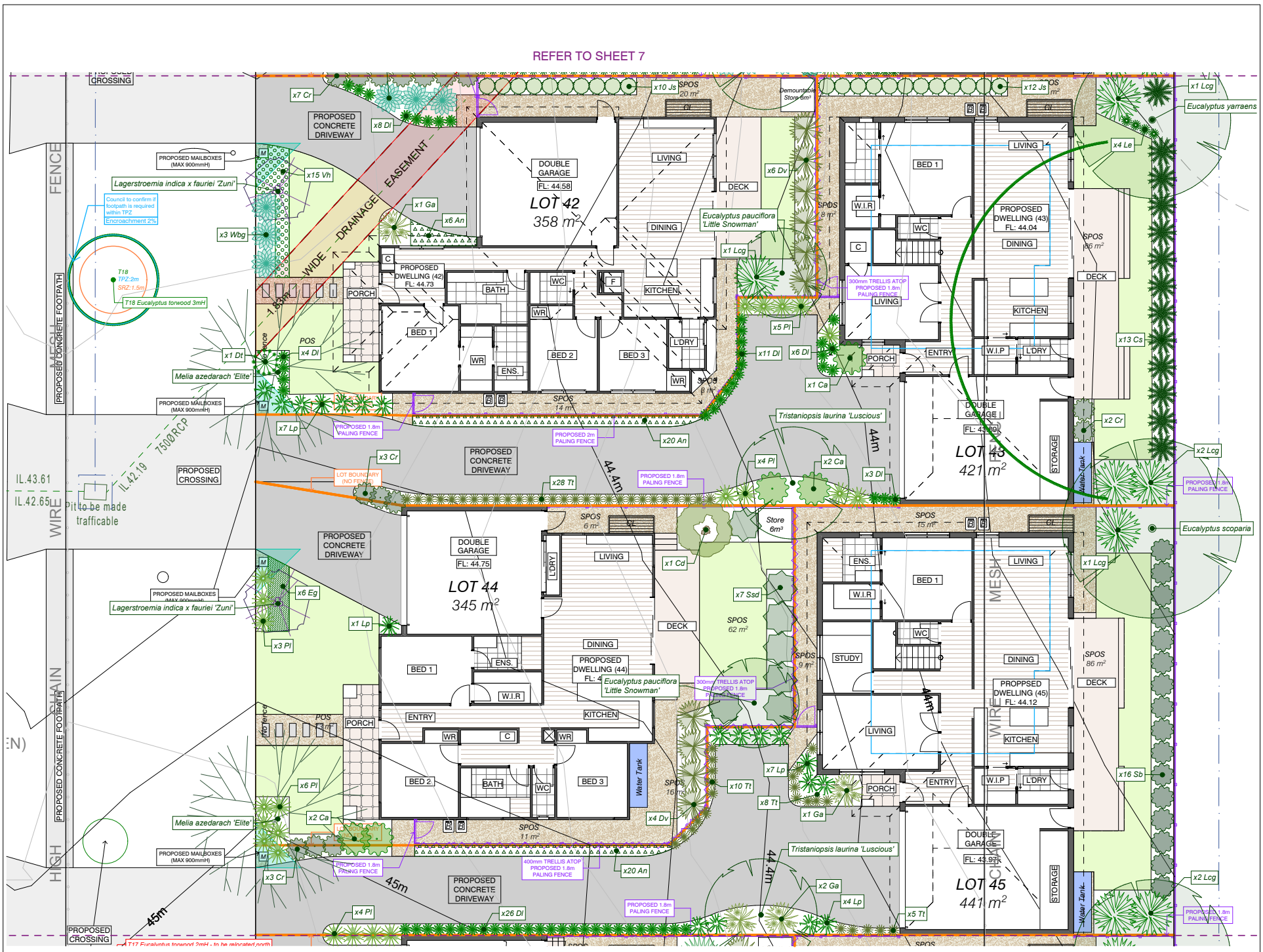
LANDSCAPE PLAN
PROPOSED DEVELOPMENT
23 DUNBAR ROAD, TRARALGON
LATROBE CITY COUNCIL
27567 L07
Version 3
Sheet 7 of 9

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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2.	Amended as per RFI 2022/233 dated 12/09/2022	LR	IS	Dec 2022
1.	Prepared for planning purposes	LR	JG	July 2022

SUBJECT TO APPROVAL

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North
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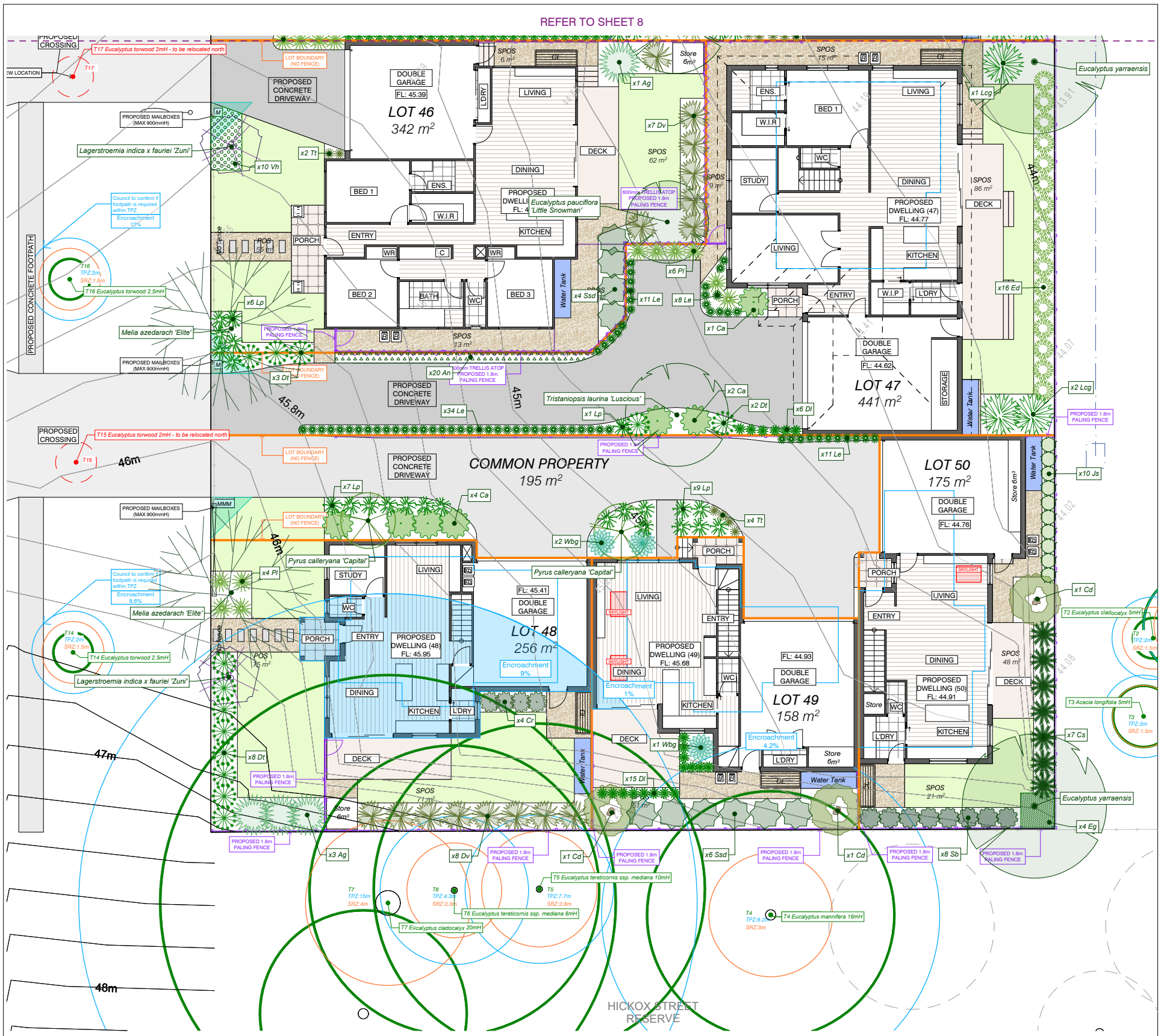
LANDSCAPE PLAN
PROPOSED DEVELOPMENT
23 Dunbar Road, Traralgon
Latrobe City Council

27567 L08
Version 3
Sheet 8 of 9

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



Legend

- Existing tree to be retained
- Existing tree with TPZ & SRZ
- Tree to be removed
- Proposed indigenous/native tree
- Proposed deciduous/ornamental tree
- Proposed shrubs
- Proposed strappy leaf plants
- Proposed groundcovers/climbers
- Proposed storage area
- Proposed water tank
- Proposed gravel pathway
- Proposed terrace/porch
- Building (as labelled)
- Proposed concrete driveway
- Proposed concrete road
- Proposed exposed aggregate road
- Proposed lawn as labelled
- Proposed clothes line
- Letter box, bins
- Proposed retaining walls (as labelled)
- Proposed paling fence (as labelled)
- Existing fence
- Proposed trellis
- Site boundary
- Proposed spot level, existing spot level
- Existing services.
- Contours to AHD, 0.2m intervals
- Indicative light pole locations - spaced at maximum 45m spacings
- Indicative seat location
- Stepping Pavers
- Proposed deck
- Proposed landing/steps

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Version	Description	Drafted	Checked	Issue Date
3.	Amended for VCAT proposal	LR	IS/JG	Apr 2024
2.	Amended as per RFI 2022/233 dated 12/09/2022	LR	IS	Dec 2022
1.	Prepared for planning purposes	LR	JG	July 2022

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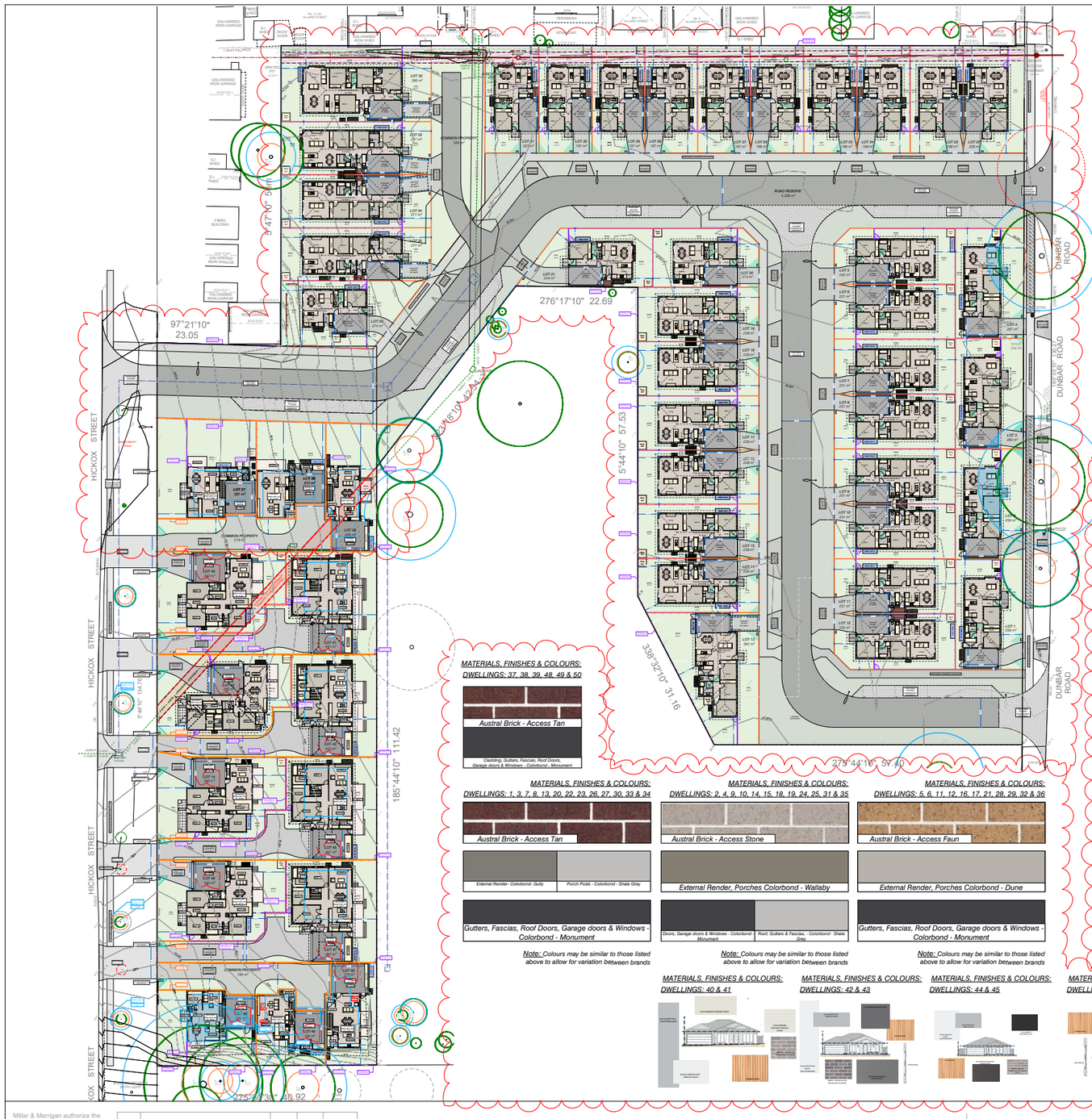
LANDSCAPE PLAN
PROPOSED DEVELOPMENT
23 Dunbar Road, Traralgon
Latrobe City Council
27567 L09
Version 3
Sheet 9 of 9

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



LEGEND:

Existing tree/shrub:

Tree to be removed:

Proposed fence:

Existing fence:

Proposed lot boundary:

Proposed spot level: 69.45

Sightline Splay:

Sewer Line: —S—S—S—

Accessable Space:

Existing easement:

TPZ & SRZ:

DEVELOPMENT SUMMARY:

Site Area:	*18,270m²*		
Proposed density:	*1 per 365m²*		
Lot 1: Area-	258m²	Lot 30: Area-	197m²
Ground floor area (inc. garage & porch) -	120m²	Private open space-	95m²
Private open space-	65m²	Secluded private open space	27m²
Secluded private open space-	56m²		64m²
Lot 2: Area-	259m²	Lot 31: Area-	201m²
Ground floor area (inc. garage & porch)-	118m²	Ground floor area (inc. garage & porch) -	95m²
Private open space-	67m²	Private open space-	28m²
Secluded private open space-	56m²	Secluded private open space-	67m²
Lot 3: Area-	260m²	Lot 32: Area-	396m²
Ground floor area (inc. garage & porch)-	120m²	Ground floor area (inc. garage & porch)-	171m²
Private open space-	55m²	Private open space-	60m²
Secluded private open space-	71m²	Secluded private open space-	149m²
Lot 4: Area-	261m²	Lot 33: Area-	277m²
Ground floor area (inc. garage, porch)-	118m²	Ground floor area (inc. garage & porch)-	142m²
Private open space-	65m²	Private open space-	36m²
Secluded private open space-	71m²	Secluded private open space-	83m²
Lot 5: Area-	232m²	Lot 34: Area-	277m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage, porch)-	142m²
Private open space-	31m²	Private open space-	36m²
Secluded private open space-	72m²	Secluded private open space	83m²
Lot 6: Area-	231m²	Lot 35: Area-	277m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	142m²
Private open space-	28m²	Private open space-	35m²
Secluded private open space-	74m²	Secluded private open space-	83m²
Lot 7: Area-	231m²	Lot 36: Area-	274m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	95m²
Private open space-	28m²	Private open space-	63m²
Secluded private open space-	74m²	Secluded private open space-	104m²
Lot 8: Area-	231m²	Lot 37: Area-	337m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	123m²
Private open space-	28m²	Upper floor area	66m²
Secluded private open space-	74m²	Private open space-	99m²
		Secluded private open space	119m²
Lot 9: Area-	231m²	Lot 38: Area-	219m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch) -	110m²
Private open space-	28m²	Upper floor area	61m²
Secluded private open space-	74m²	Secluded private open space-	109m²
Lot 10: Area-	231m²	Lot 39: Area-	245m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	107m²
Private open space-	28m²	Upper floor area	67m²
Secluded private open space-	74m²	Secluded private open space-	138m²
Lot 11: Area-	231m²	Lot 40: Area-	342m²
Ground floor area (inc. garage & porch) -	117m²	Ground floor area (inc. garage & porch)-	162m²
Private open space-	28m²	Private open space-	56m²
Secluded private open space-	74m²	Secluded private open space-	95m²
Lot 12: Area-	232m²	Lot 41: Area-	441m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	181m²
Private open space-	31m²	Upper floor area	70m²
Secluded private open space-	72m²	Secluded private open space-	110m²
Lot 13: Area-	362m²	Lot 42: Area-	358m²
Ground floor area (inc. garage & porch)-	135m²	Ground floor area (inc. garage & porch)-	168m²
Private open space-	85m²	Private open space-	55m²
Secluded private open space-	125m²	Secluded private open space-	84m²
Lot 14: Area-	226m²	Lot 43: Area-	421m²
Ground floor area (inc. garage, porch)-	117m²	Ground floor area (inc. garage & porch) -	164m²
Private open space-	27m²	Upper floor area	70m²
Secluded private open space-	69m²	Secluded private open space-	115m²
Lot 15: Area-	228m²	Lot 44: Area-	345m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	166m²
Private open space-	27m²	Private open space-	73m²
Secluded private open space-	72m²	Secluded private open space-	95m²
Lot 16: Area-	228m²	Lot 45: Area-	441m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	181m²
Private open space-	27m²	Upper floor area	70m²
Secluded private open space-	72m²	Secluded private open space-	110m²
Lot 17: Area-	228m²	Lot 46: Area-	342m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage, & porch)-	163m²
Private open space-	27m²	Private open space-	55m²
Secluded private open space-	72m²	Secluded private open space-	97m²
Lot 18: Area-	228m²	Lot 47: Area-	441m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	181m²
Private open space-	27m²	Upper floor area	70m²
Secluded private open space-	72m²	Secluded private open space-	110m²
Lot 19: Area-	228m²	Lot 48: Area-	256m²
Ground floor area (inc. garage & porch)-	117m²	Ground floor area (inc. garage & porch)-	110m²
Private open space-	27m²	Upper floor area	65m²
Secluded private open space-	72m²	Private open space-	74m²
		Secluded private open space-	71m²
Lot 20: Area-	218m²	Lot 49: Area-	158m²
Ground floor area (inc. garage & porch)-	95m²	Ground floor area (inc. garage & porch)-	106m²
Private open space-	28m²	Upper floor area	56m²
Secluded private open space-	79m²	Secluded private open space-	51m²
Lot 21: Area-	234m²	Lot 50: Area-	175m²
Ground floor area (inc. garage & porch) -	95m²	Ground floor area (inc. garage & porch)-	107m²
Private open space-	39m²	Upper floor area	61m²
Secluded private open space-	79m²	Secluded private open space-	69m²
Lot 22: Area-	228m²	Road Reserve:	4399m²
Ground floor area (inc. garage & porch)-	95m²	Lots 32, 33 & 34	326m²
Private open space-	80m²	Lots 37, 38 & 39	219m²
Secluded private open space-	40m²	Lots 48, 49 & 50	195m²
Lot 23: Area-	198m²	Site Coverage (buildings):	6110m² = 33%
Ground floor area (inc. garage & porch)-	95m²		
Private open space-	27m²	Impervious Surfaces:	
Secluded private open space-	65m²	Buildings-	6110m²
		Driveways & paving-	4362m²
Lot 24: Area-	198m²	Total impervious-	10472m² = 57.3%
Ground floor area (inc. garage porch)-	95m²	Permeable area:	= 42.7%
Private open space-	27m²		
Secluded private open space-	65m²		
Lot 25: Area-	198m²		
Ground floor area (inc. garage & porch)-	95m²		
Private open space-	27m²		
Secluded private open space-	65m²		
Lot 26: Area-	198m²		
Ground floor area (inc. garage & porch)-	95m²		
Private open space-	27m²		
Secluded private open space-	65m²		
Lot 27: Area-	197m²		
Ground floor area (inc. garage & porch)-	95m²		
Private open space-	26m²		
Secluded private open space-	64m²		
Lot 28: Area-	197m²		
Ground floor area (inc. garage & porch)-	95m²		
Private open space-	26m²		
Secluded private open space-	64m²		
Lot 29: Area-	197m²		
Ground floor area (inc. garage & porch)-	95m²		
Private open space-	26m²		
Secluded private open space-	64m²		

NOTES:

1. This plan is to be read in conjunction with the Plan of Survey (27567T1), the Ground & Upper Floor Plans (27567P3-P15), the Building Elevations Sheets 1-13 (27567P18), the Shadow Diagrams (27567P19-21), the Proposed Subdivision Plan (27567P22) and the Landscape Plan (27567L01). It has been prepared as part of a town planning submission.

2. Dunbar Road Car Parking & Access-
Lots 1-12, 14-31 & 36. The proposed single storey dwellings have one - two bedrooms and an attached single car garage.

Lots 13, 32, 33, 34 & 35 - The proposed single storey dwellings have three - four bedrooms and an attached single car garage and tandem carspace.

Access- There are 4 proposed concrete crossovers which will provide access to lots 1, 2, 3 & 4. Two proposed roads will provide access off Dunbar Road & Hickox Street to the remaining lots.

3. Hickox Street Car Parking & Access-
Lots 40, 42, 44 & 46. The proposed single storey dwellings have three bedrooms and an attached double car garage.

Lots 37, 38, 39, 41, 43, 45, 47, 48, 49 & 50 - The proposed double storey dwellings have three - four bedrooms and an attached double car garage.

Access- There are 5 proposed concrete crossovers which will provide access to all lots along Hickox Street.

4. Overlooking-
The proposed dwellings have been designed to overlook their own internal open space common driveway or streets. Obscure glazing is proposed to prevent overlooking as required. Screening vegetation will be used to soften fencelines and further prevent overlooking where considered necessary (See Landscape Plan).

5. Shadows-
Refer to the Shadow Diagrams (27567P19-21) for solar access to all lots.

6. Daylight to habitable windows-
Adequate daylight is available to all existing and proposed habitable windows with 1m clear to the sky achieved for all.

7. Sightline Splay - 2m x 2.5m splay to be 50% clear of visual obstructions above 900mm in height.

8. Spot Levels and contours shown are to AHD

NOTES:

- Public through road now provided between Dunbar Road and Hickox Street
- Previous internal common property access replaced with public roadways.
- Common property limited to northern driveway accessing three dwellings.
- Public roads provide for footpath on one side and indented parking.
- Proposed public roads provide for attractive streetscape plantings
- Proposal now meets parking requirements with each dwelling containing sufficient parking and surplus parking provided within the roadways.
- Vehicle connections to Dunbar amended from 9 dwellings/crossings and common property access to x2 road intersections and x4 single crossings.
- Vehicle connections to Hickox Street amended from x5 double crossings and x2 single crossings, to x5 Double crossings.
- Proposed Council drain to be realigned through the development to authority requirements.
- Dwelling redesign avoids south facing open space and ensures all dwellings have suitable sunlight to open space and living areas.
- Single street tree within Dunbar Road T21 - Mature Eucalypt to be removed.
- Revised dwelling design ensures compliance with Accessibility and 7 Star Energy can be achieved.
- Overall number of dwellings has been reduced by x2.
- Overall number of bedrooms has been reduced by 21 from previous proposal.

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 37, 38, 39, 48, 49 & 50

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 1, 3, 7, 8, 13, 20, 22, 23, 26, 27, 30, 33 & 34

Note: Colours may be similar to those listed above to allow for variation between brands

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 2, 4, 9, 10, 14, 15, 18, 19, 24, 25, 31 & 35

Note: Colours may be similar to those listed above to allow for variation between brands

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 5, 6, 11, 12, 16, 17, 21, 28, 29, 32 & 36

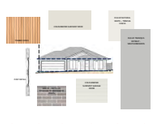
Note: Colours may be similar to those listed above to allow for variation between brands

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 40 & 41

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 42 & 43

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 44 & 45

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 46 & 47



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Version	Description	Drafted	Checked	Issue Date
03	Amendments for VCAT	LB/JDP		05/04/2024
02	Amendments made as requested by council.	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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OVERALL SITE LAYOUT
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P2 - OVERALL SITE LAYOUT
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

LEGEND:

Existing tree/shrub:

Existing tree/shrub to be removed:

Proposed lot boundary:

Road Reserve:

Common Property:

Indicative Drainge & Pits:

Stage A:

Stage B:

Stage C:

Stage D:

TOTAL LOT SIZE: 1.827ha
CROWN ALLOTMENT 79L, TOWNSHIP OF TRARALGON
VOL.10588 FOL.614

North

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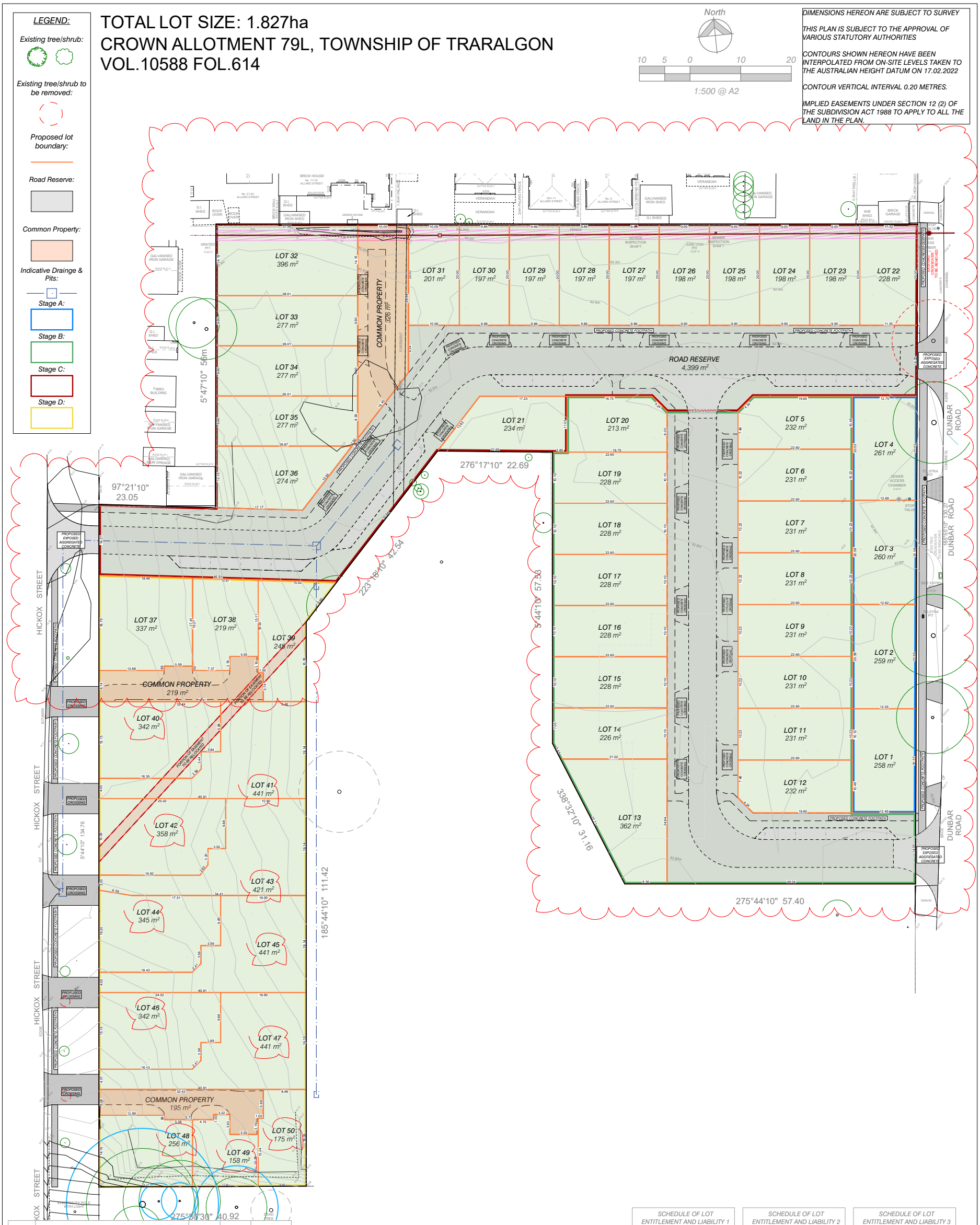
DIMENSIONS HEREON ARE SUBJECT TO SURVEY

THIS PLAN IS SUBJECT TO THE APPROVAL OF VARIOUS STATUTORY AUTHORITIES

CONTOURS SHOWN HEREON HAVE BEEN INTERPOLATED FROM ON-SITE LEVELS TAKEN TO THE AUSTRALIAN HEIGHT DATUM ON 17.02.2022

CONTOUR VERTICAL INTERVAL 0.20 METRES.

IMPLIED EASEMENTS UNDER SECTION 12 (2) OF THE SUBDIVISION ACT 1988 TO APPLY TO ALL THE LAND IN THE PLAN.



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SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 1

LOT No.	ENTIT.	LIABILITY
32	1	1
33	1	1
34	1	1
TOTAL	3	3

SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 2

LOT No.	ENTIT.	LIABILITY
37	1	1
38	1	1
39	1	1
TOTAL	3	3

SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 3

LOT No.	ENTIT.	LIABILITY
48	1	1
49	1	1
50	1	1
TOTAL	3	3

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PROPOSED PLAN OF SUBDIVISION

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
LATROBE CITY COUNCIL

27567 P22
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

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North

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SHADOW DIAGRAM - 9am

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P19
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

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SHADOW DIAGRAM - 12 Noon
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P20
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

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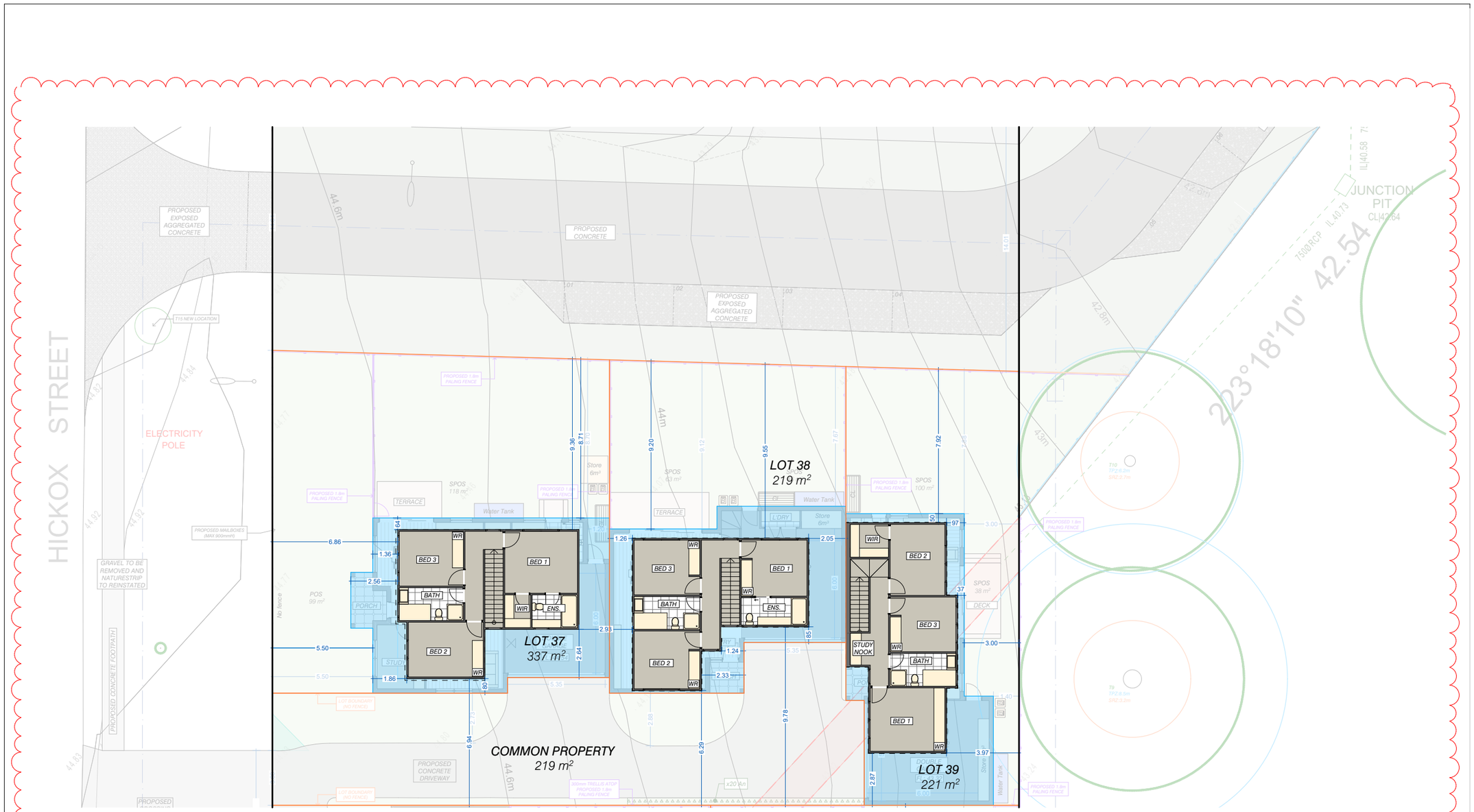
SHADOW DIAGRAM - 3pm

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P21
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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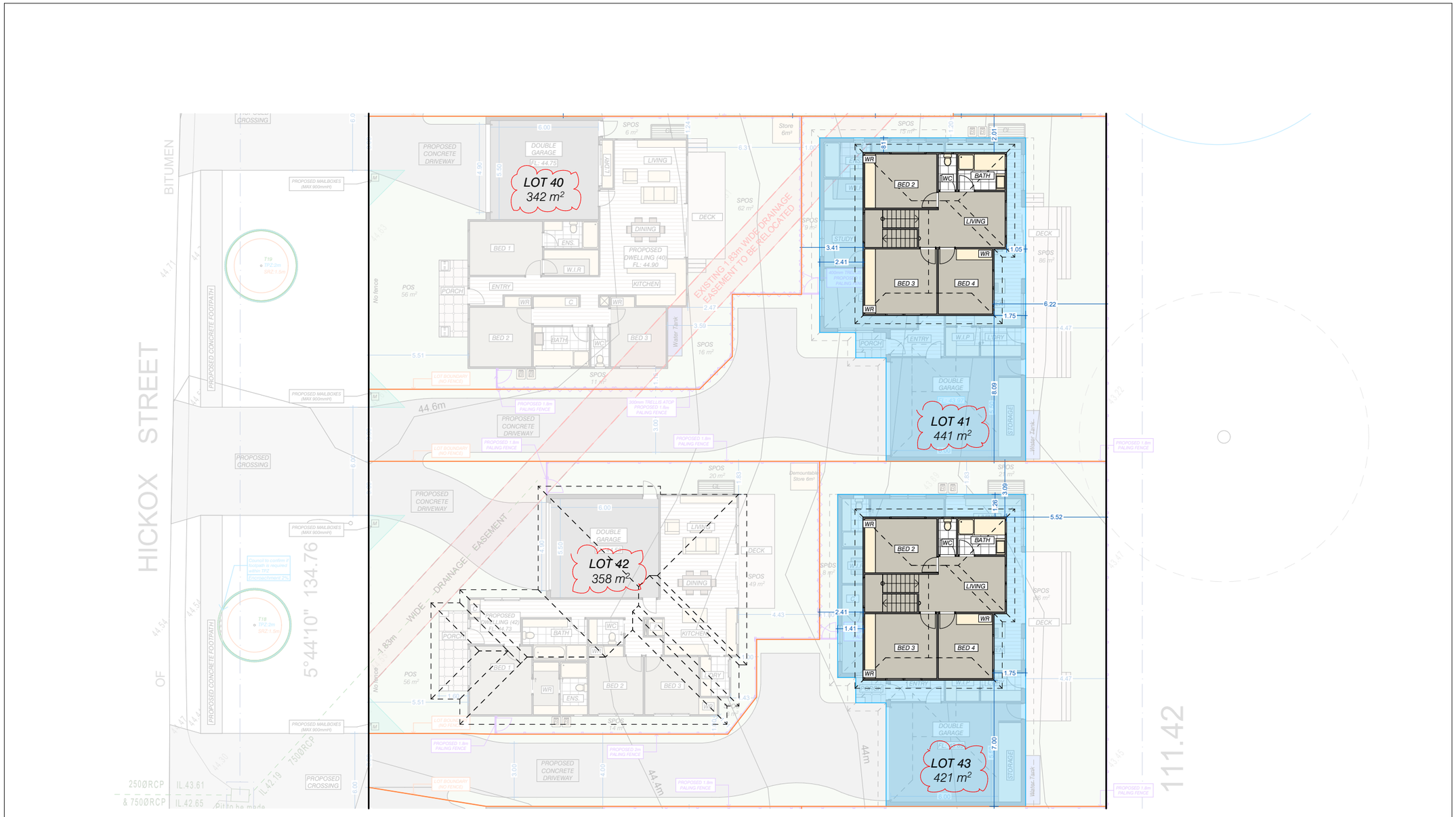
UPPER LEVEL LAYOUT - DWELLINGS 37-39

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P12
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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Version	Description	Drafted	Checked	Issue Date
03	Amendments for VCAT	LB/JDP		05/04/2024
02	Amendments made as requested by council.	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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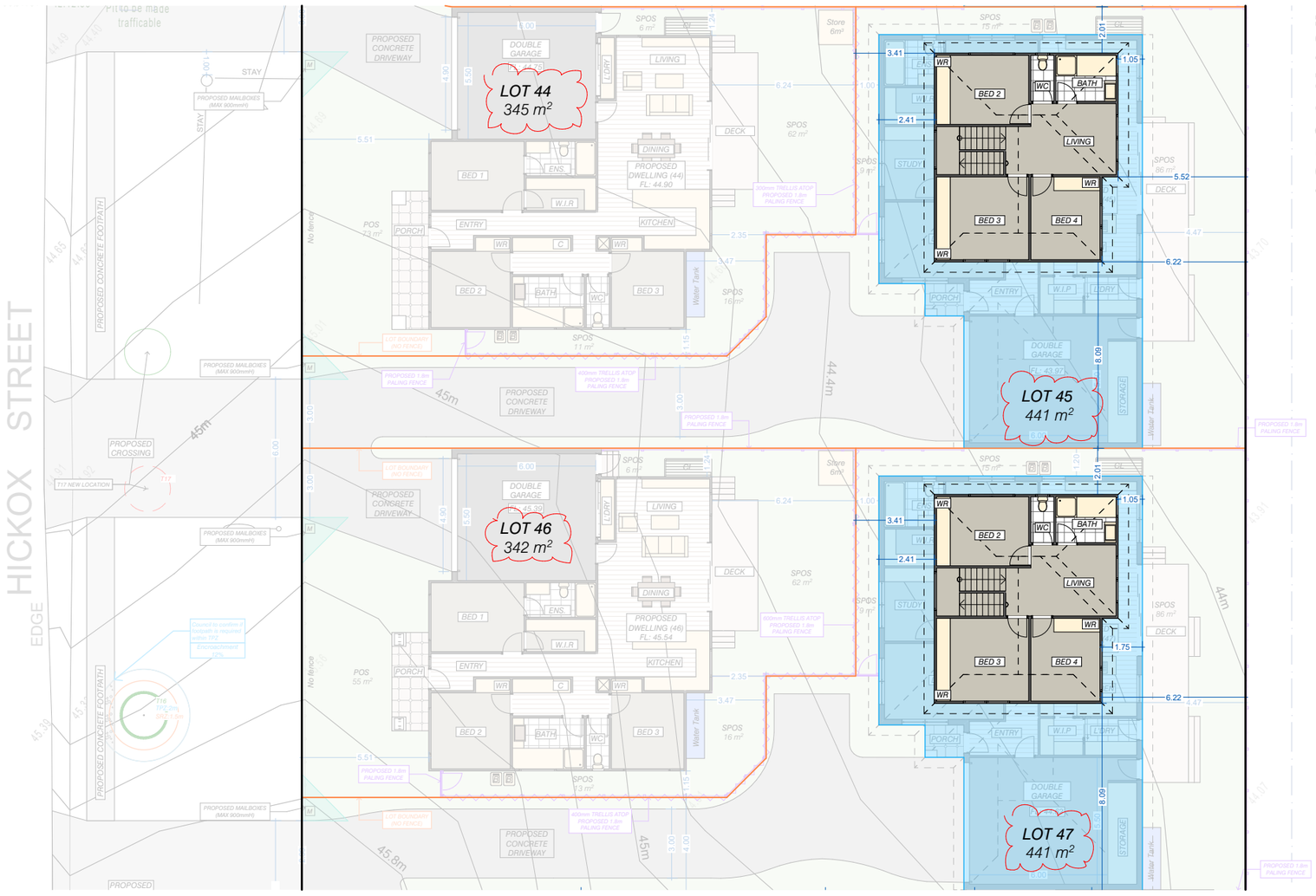
UPPER LEVEL LAYOUT - DWELLINGS 40-43

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P13
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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Version	Description	Drafted	Checked	Issue Date
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UPPER LEVEL LAYOUT - DWELLINGS 44-47

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
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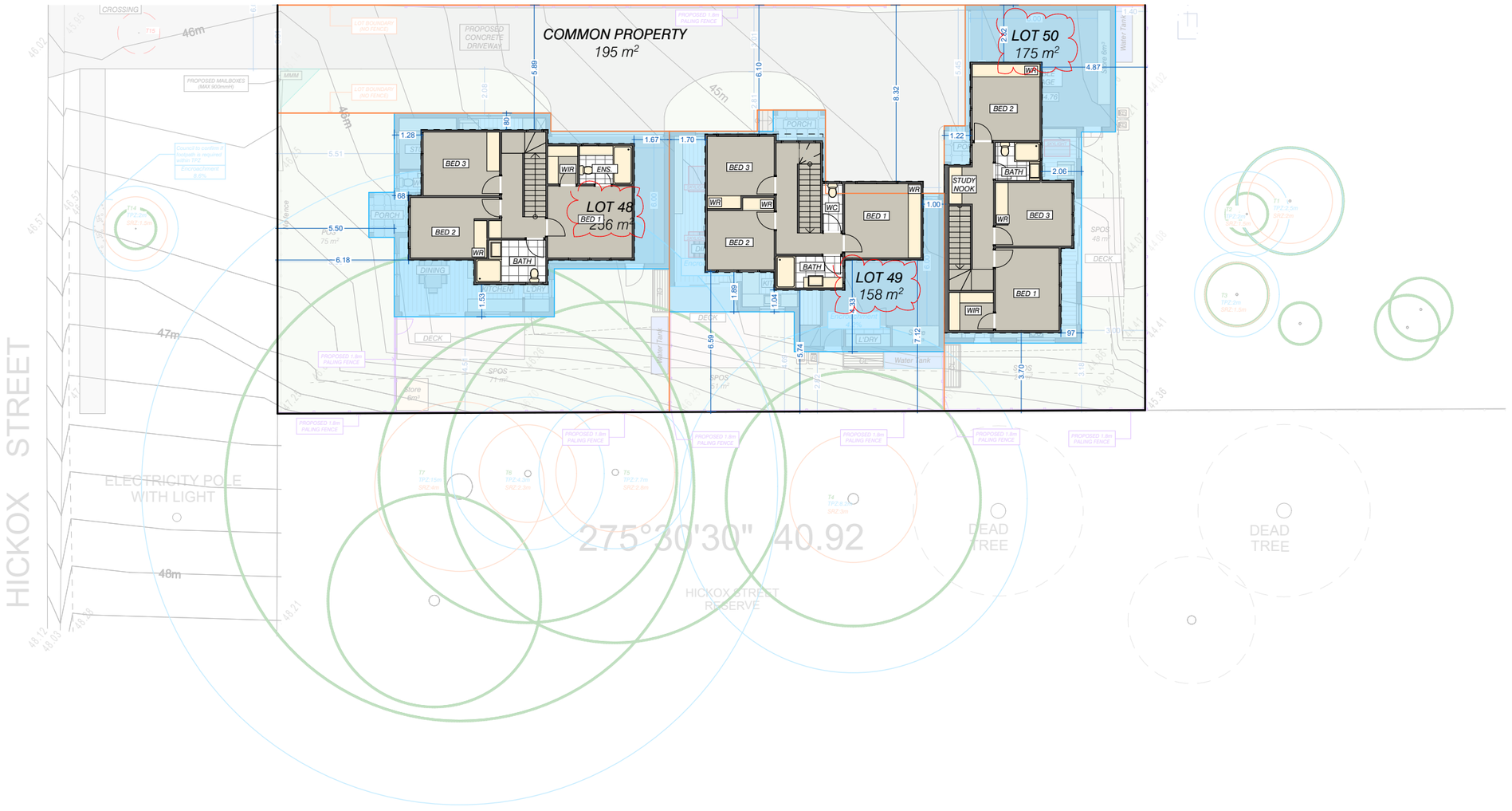
Latrobe City Council

27567 P14
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



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UPPER LEVEL LAYOUT - DWELLINGS 48-50

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
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Latrobe City Council

27567 P15
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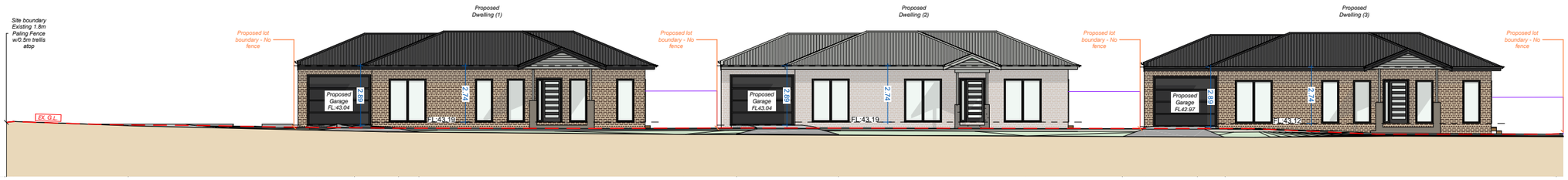
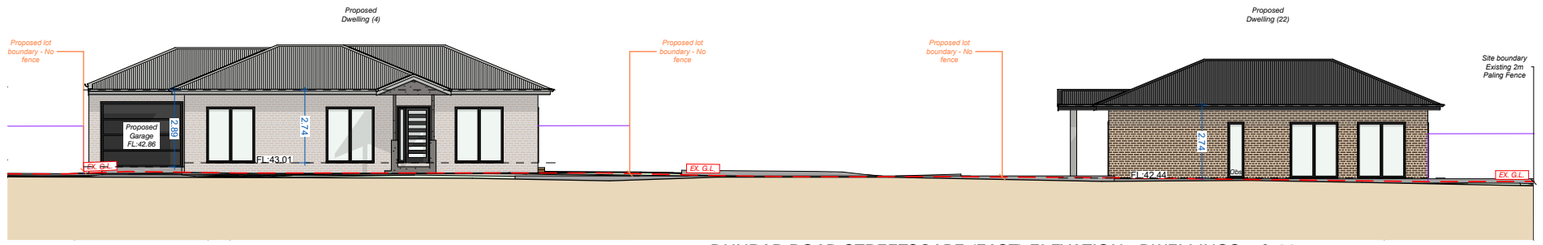
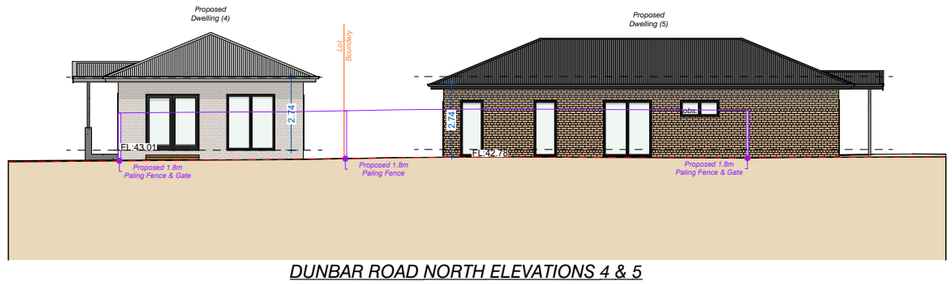


DUNBAR ROAD STREETSCAPE (EAST) ELEVATION - DWELLINGS 1,2 & 3



DUNBAR ROAD STREETSCAPE (EAST) ELEVATION - DWELLINGS 4 & 22

DUNBAR ROAD WEST ELEVATIONS 1, 2, 3 & 4



DUNBAR ROAD NORTH ELEVATIONS 4 & 5

Notes:
- *All roof pitches are shown at 22.5°*
- All internal paling fences are 1.8mH

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BUILDING ELEVATIONS - SHEET 1 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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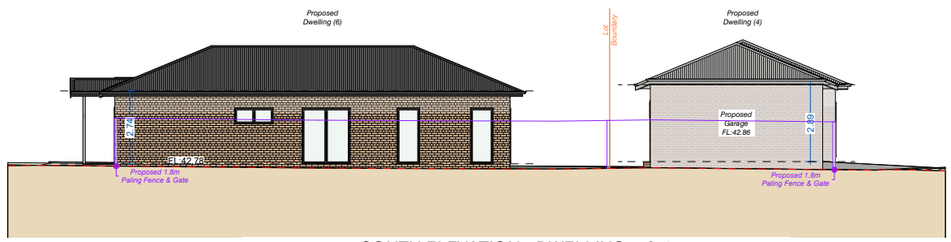
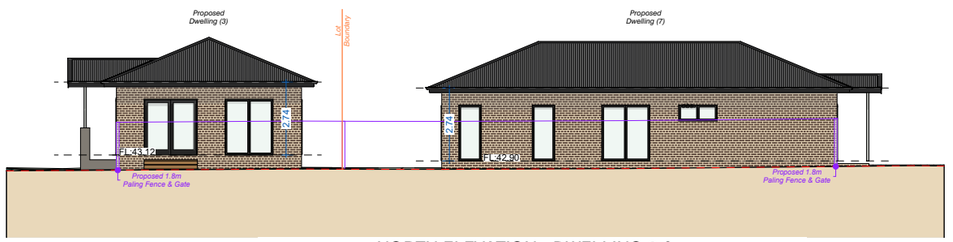
Latrobe City Council
27567 P18
Version 03

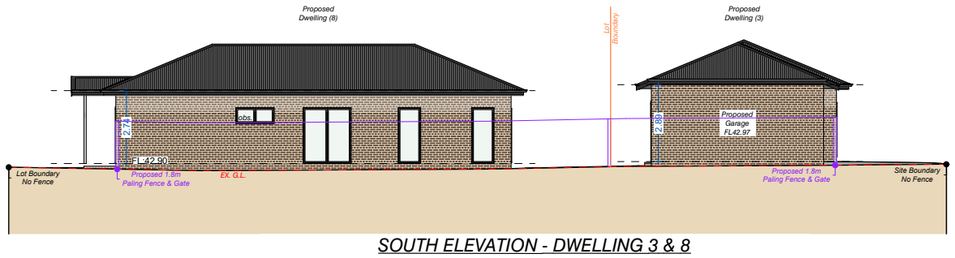
Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



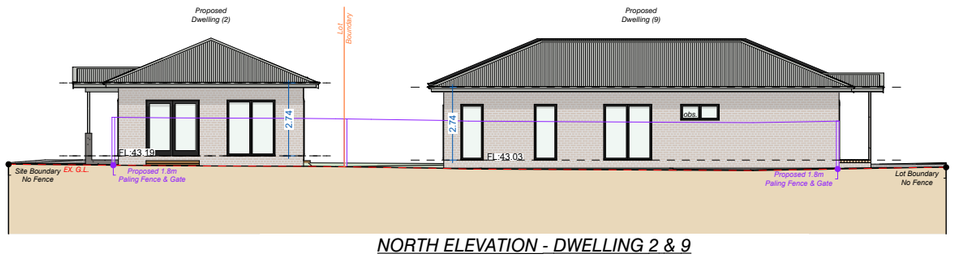
SOUTH ELEVATION - DWELLING 4 & 6



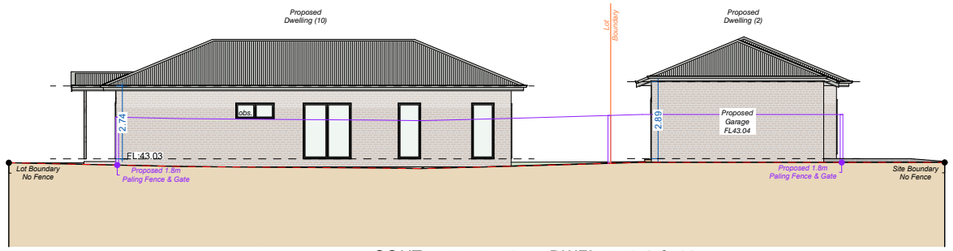
NORTH ELEVATION - DWELLING 3 & 7



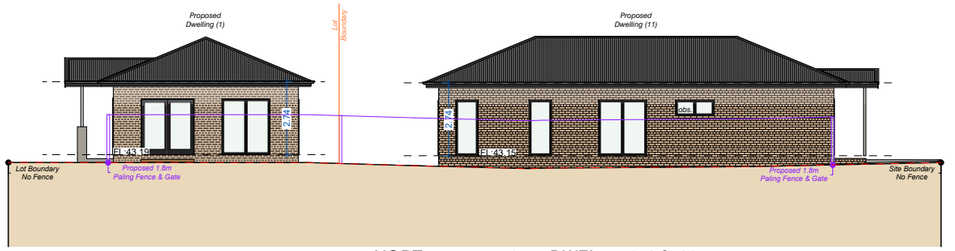
SOUTH ELEVATION - DWELLING 3 & 8



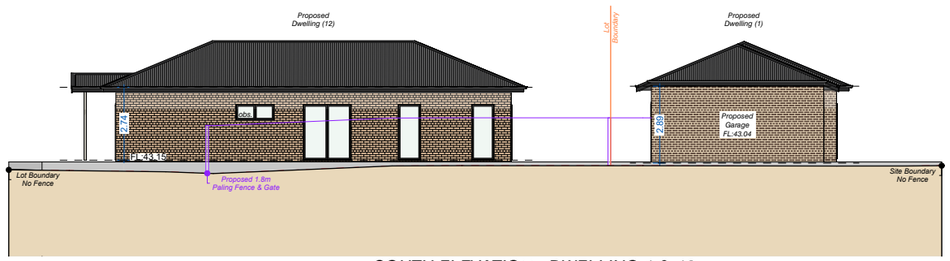
NORTH ELEVATION - DWELLING 2 & 9



SOUTH ELEVATION - DWELLING 2 & 10



NORTH ELEVATION - DWELLING 1 & 11



SOUTH ELEVATION - DWELLING 1 & 12

Notes:

- All roof pitches are shown at 22.5°

- All internal paling fences are 1.8mH

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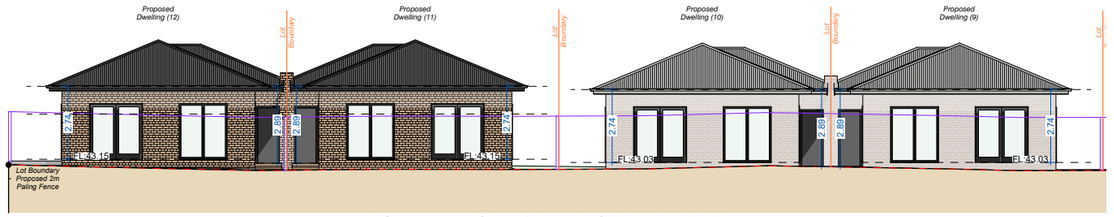
BUILDING ELEVATIONS - SHEET 2 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P18
Version 03

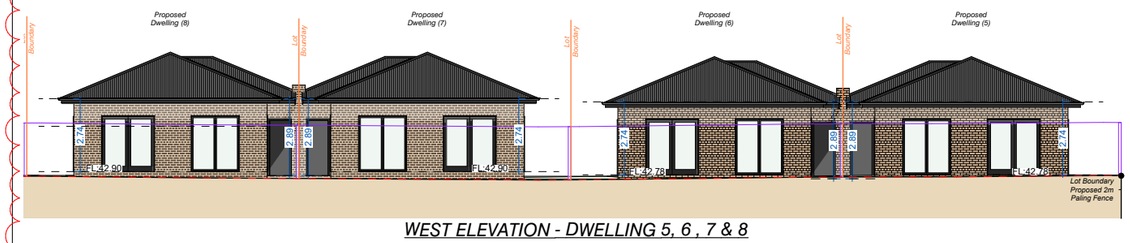
Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

WEST ELEVATION - DWELLING 5, 6, 7, 8, 9, 10

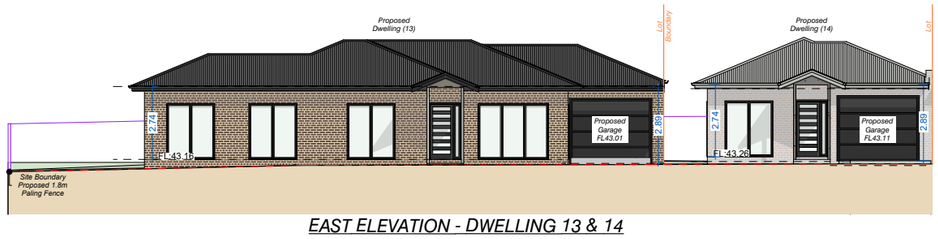
WEST ELEVATION - DWELLING 11 & 12



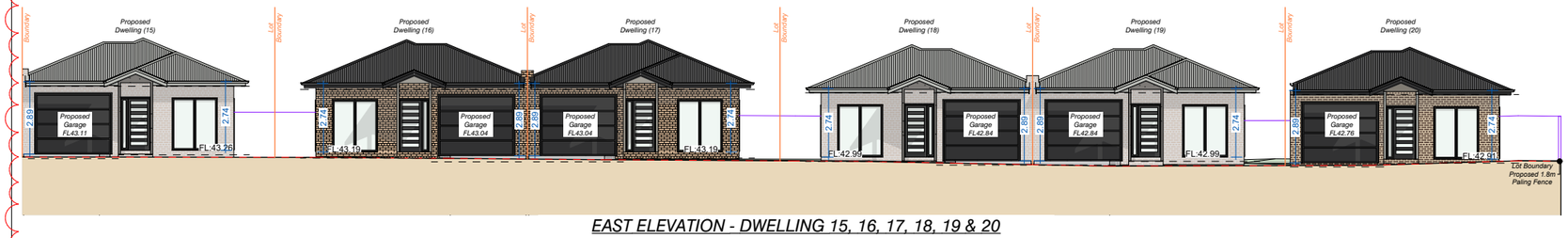
WEST ELEVATION - DWELLING 9, 10, 11 & 12



WEST ELEVATION - DWELLING 5, 6 , 7 & 8



EAST ELEVATION - DWELLING 13 & 14



EAST ELEVATION - DWELLING 15, 16, 17, 18, 19 & 20

Notes:
- *All roof pitches are shown at 22.5°*
- All internal paling fences are 1.8mH

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BUILDING ELEVATIONS - SHEET 3 OF 13
PROPOSED DEVELOPMENT

23 DUNBAR ROAD
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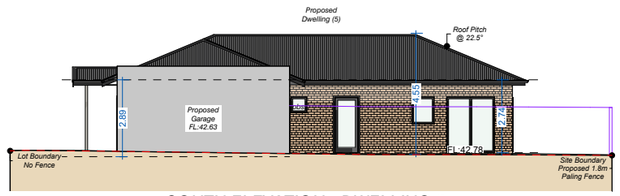
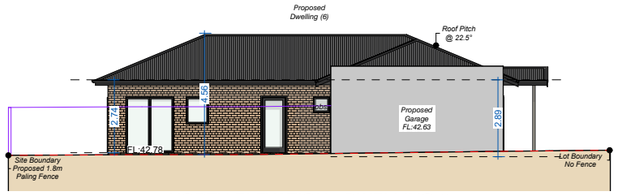
Latrobe City Council

27567 P18
Version 03

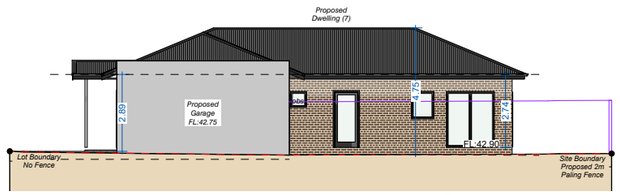
Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



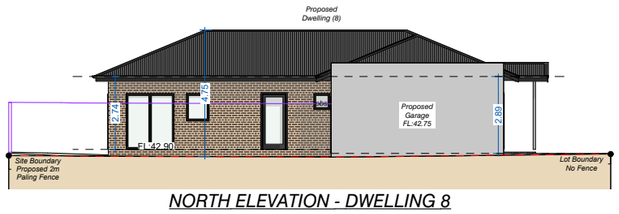
SOUTH ELEVATION - DWELLING 5



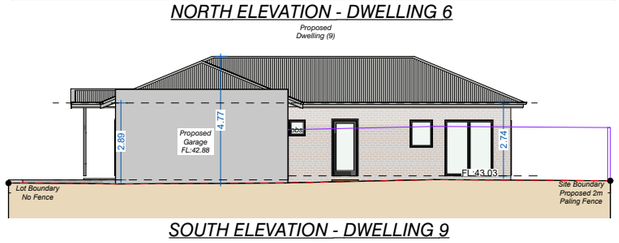
NORTH ELEVATION - DWELLING 6



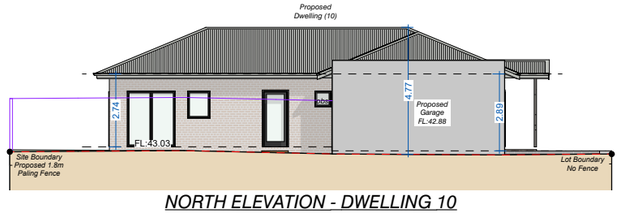
SOUTH ELEVATION - DWELLING 7



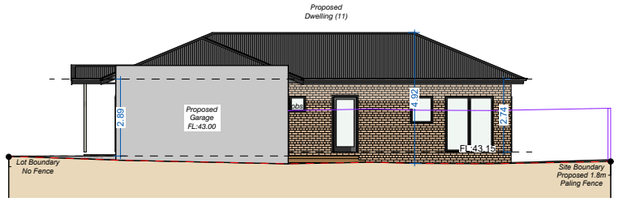
NORTH ELEVATION - DWELLING 8



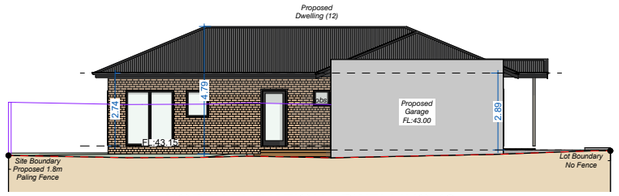
SOUTH ELEVATION - DWELLING 9



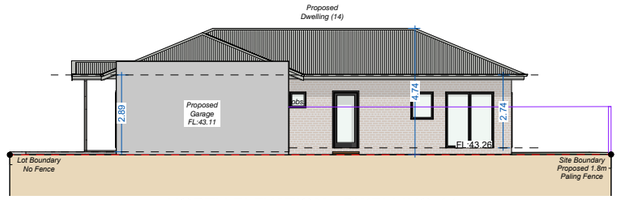
NORTH ELEVATION - DWELLING 10



SOUTH ELEVATION - DWELLING 11



NORTH ELEVATION - DWELLING 12



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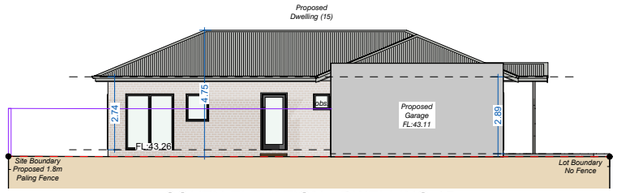
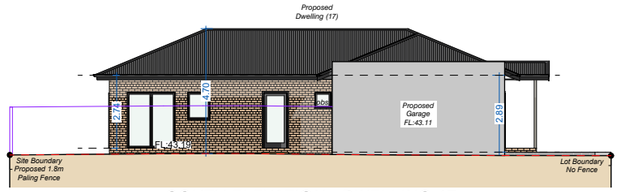
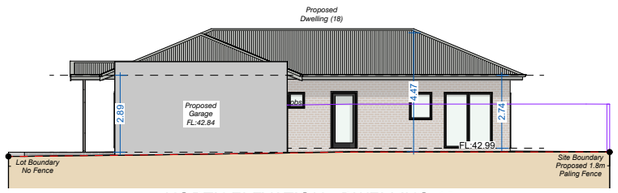


SOUTH ELEVATION - DWELLING 15

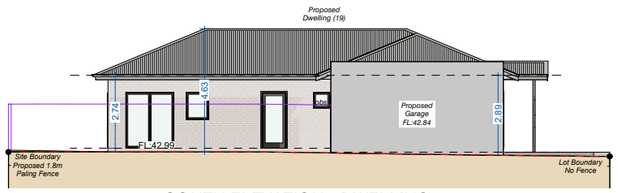
NORTH ELEVATION - DWELLING 16



SOUTH ELEVATION - DWELLING 17



NORTH ELEVATION - DWELLING 18



SOUTH ELEVATION - DWELLING 19

Notes:

- All roof pitches are shown at 22.5°

- All internal paling fences are 1.8mH

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PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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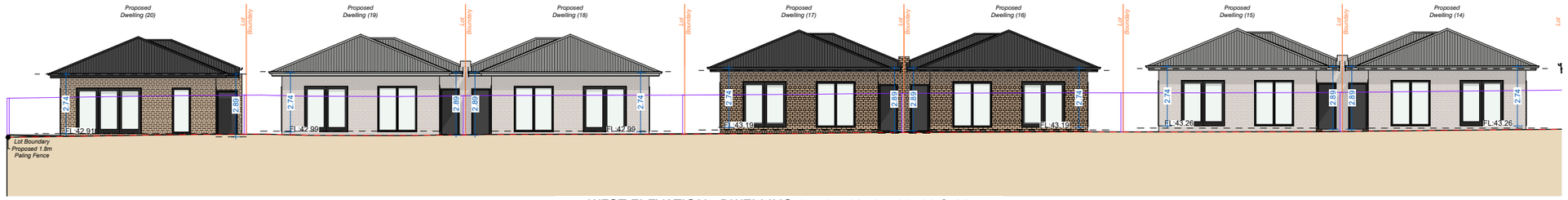
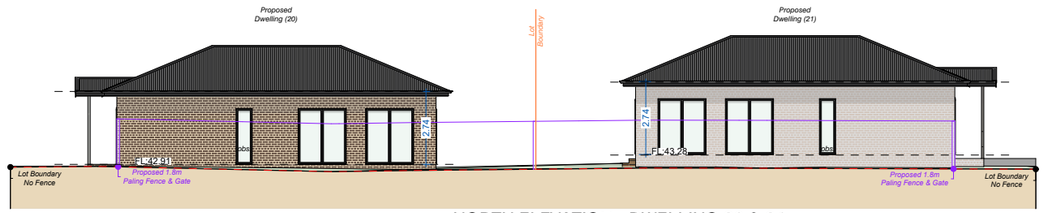
27567 P19
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

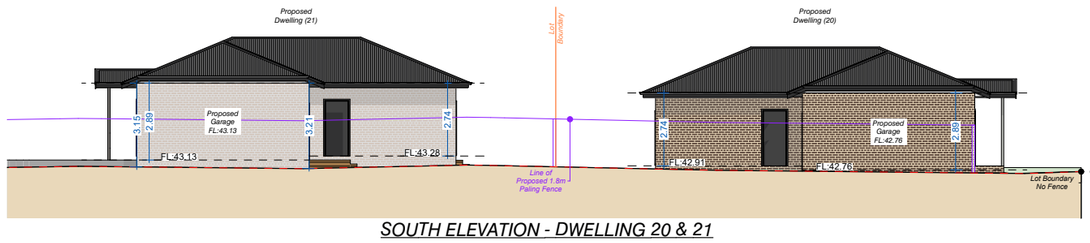


WEST ELEVATION - DWELLING 14, 15, 16, 17, 18, 19 & 20

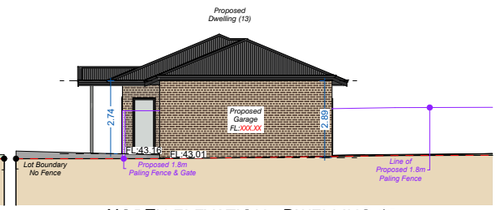
WEST ELEVATION - DWELLING 13



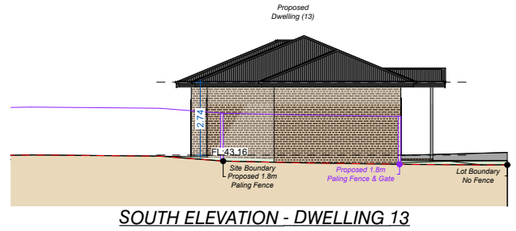
NORTH ELEVATION - DWELLING 20 & 21



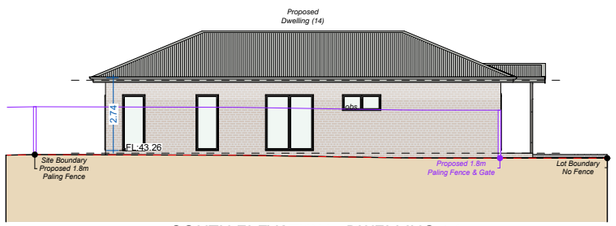
SOUTH ELEVATION - DWELLING 20 & 21



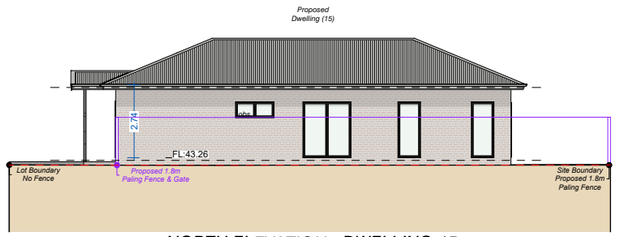
NORTH ELEVATION - DWELLING 13



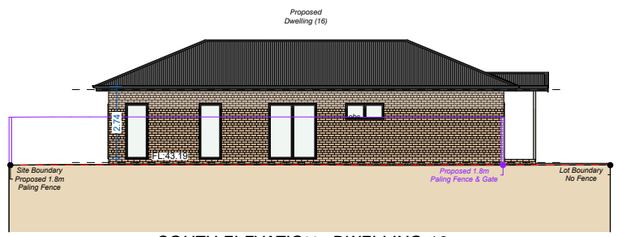
SOUTH ELEVATION - DWELLING 13



SOUTH ELEVATION - DWELLING 14



NORTH ELEVATION - DWELLING 15



SOUTH ELEVATION - DWELLING 16

Notes:
- *All roof pitches are shown at 22.5°*
- All internal paling fences are 1.8mH

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Version	Description	Drafted	Checked	Issue Date
03	Amendments for VCAT	LB/JDP		05/04/2024
02	Amendments made as requested by council.	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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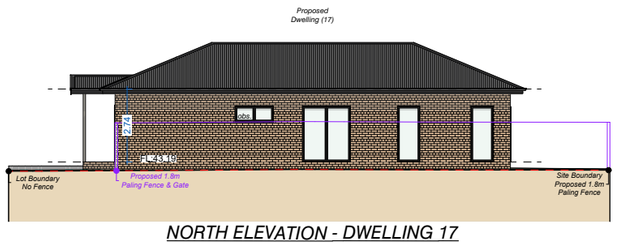
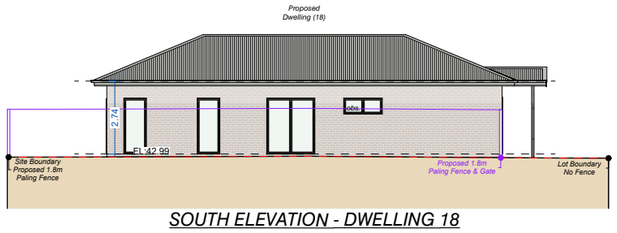
BUILDING ELEVATIONS - SHEET 5 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P18
Version 03

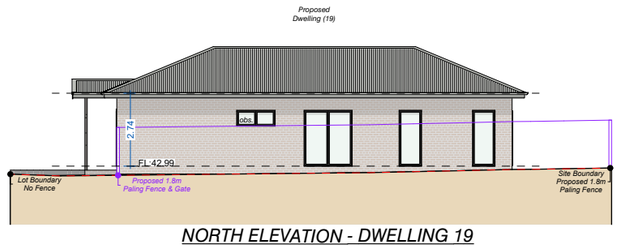
Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



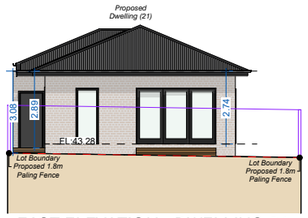
NORTH ELEVATION - DWELLING 17



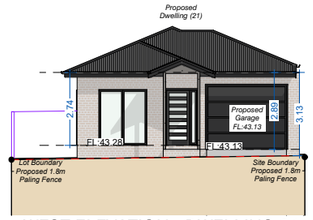
SOUTH ELEVATION - DWELLING 18



NORTH ELEVATION - DWELLING 19

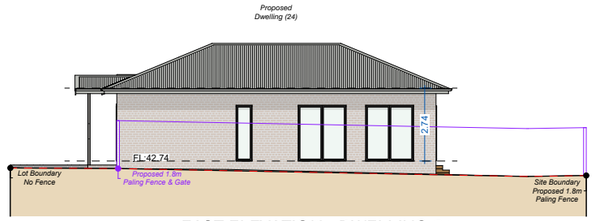


EAST ELEVATION - DWELLING 21

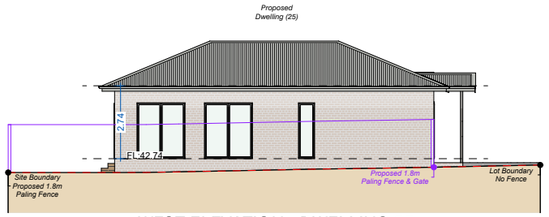


WEST ELEVATION - DWELLING 21

WEST ELEVATION - DWELLING 23



EAST ELEVATION - DWELLING 24

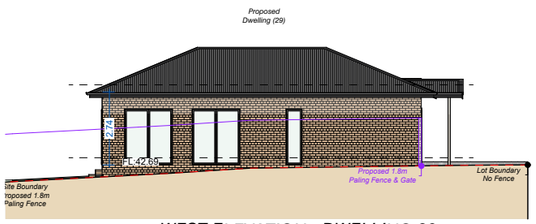


WEST ELEVATION - DWELLING 25

EAST ELEVATION - DWELLING 26

WEST ELEVATION - DWELLING 27

EAST ELEVATION - DWELLING 28



WEST ELEVATION - DWELLING 29

EAST ELEVATION - DWELLING 30

Notes:
- *All roof pitches are shown at 22.5°*
- All internal paling fences are 1.8mH

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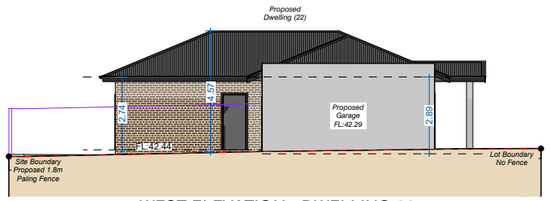
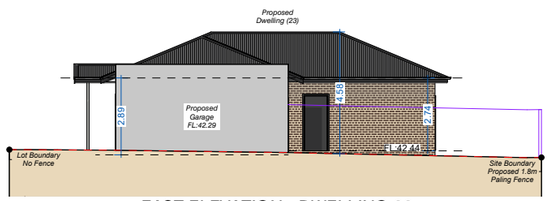
BUILDING ELEVATIONS - SHEET 6 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P18
Version 03

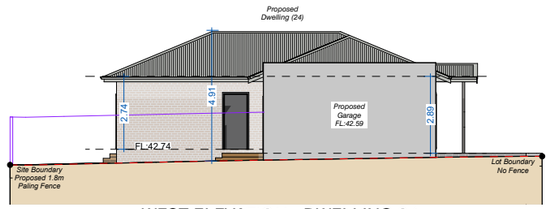
Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



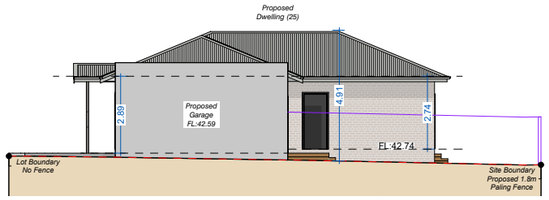
WEST ELEVATION - DWELLING 22



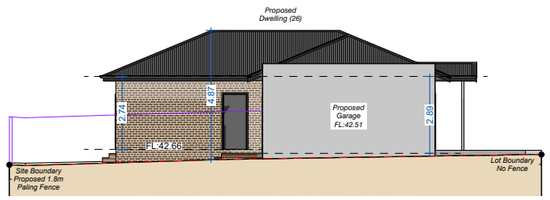
EAST ELEVATION - DWELLING 23



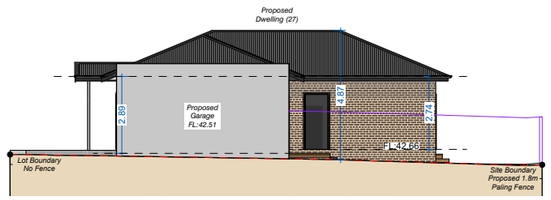
WEST ELEVATION - DWELLING 24



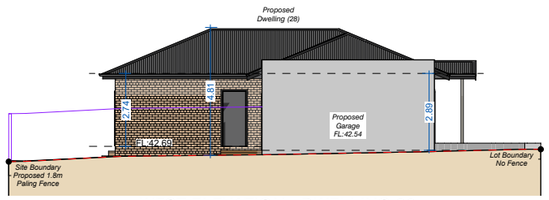
EAST ELEVATION - DWELLING 25



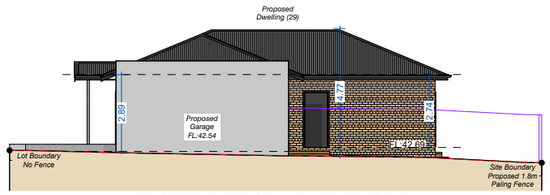
WEST ELEVATION - DWELLING 26



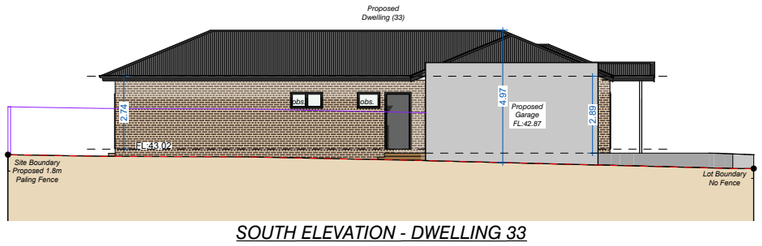
EAST ELEVATION - DWELLING 27



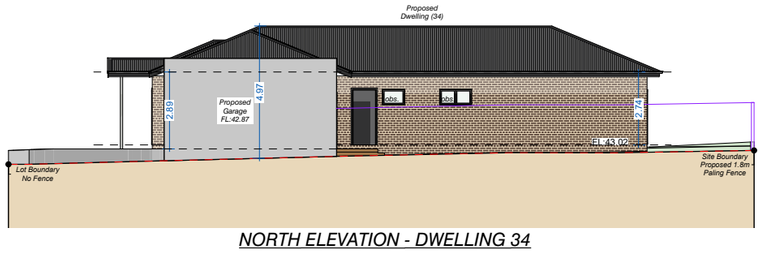
WEST ELEVATION - DWELLING 28



EAST ELEVATION - DWELLING 29



SOUTH ELEVATION - DWELLING 33



NORTH ELEVATION - DWELLING 34

Notes:
- *All roof pitches are shown at 22.5°*
- All internal paling fences are 1.8mH

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01	Prepared for planning purposes.	TF	MB	AUG 22

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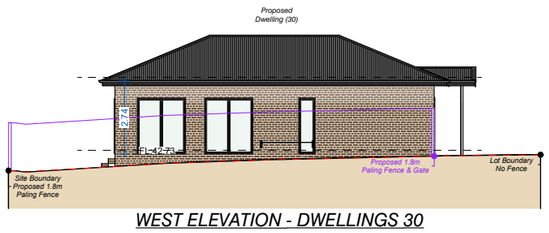
BUILDING ELEVATIONS - SHEET OF 7 OF 13
PROPOSED DEVELOPMENT

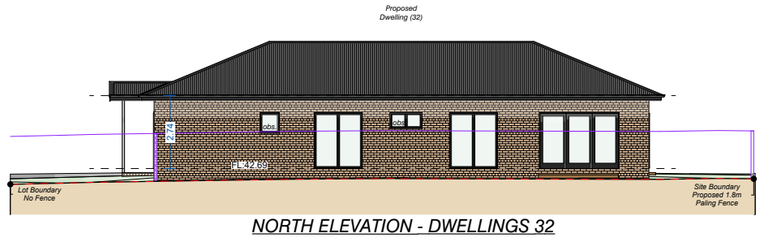
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P18
Version 03

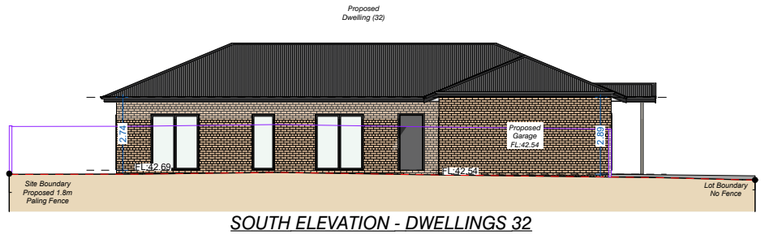
Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



WEST ELEVATION - DWELLINGS 30



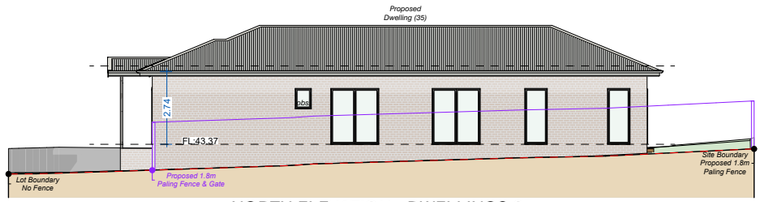
NORTH ELEVATION - DWELLINGS 32



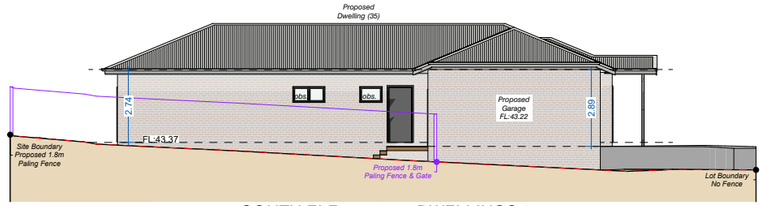
SOUTH ELEVATION - DWELLINGS 32

NORTH ELEVATION - DWELLINGS 33

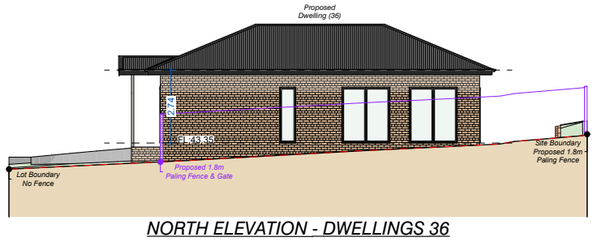
SOUTH ELEVATION - DWELLINGS 34



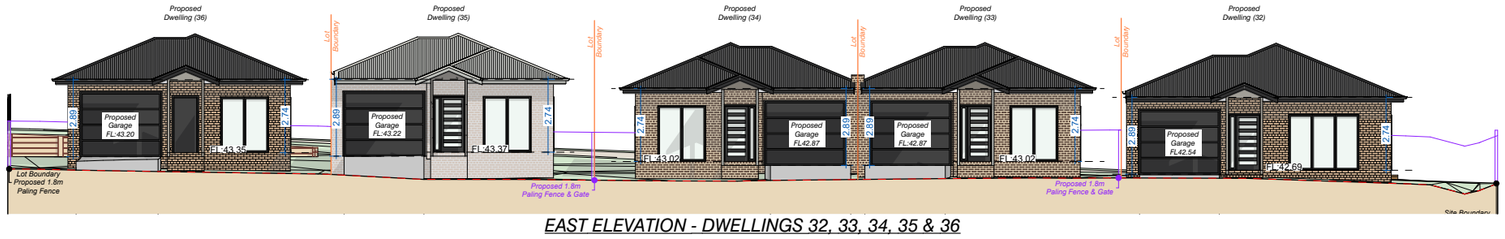
NORTH ELEVATION - DWELLINGS 35



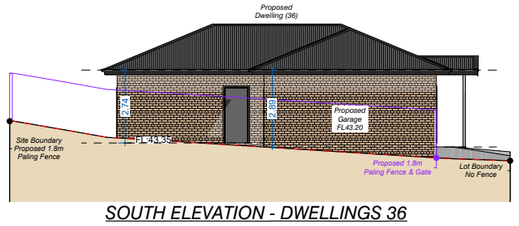
SOUTH ELEVATION - DWELLINGS 35



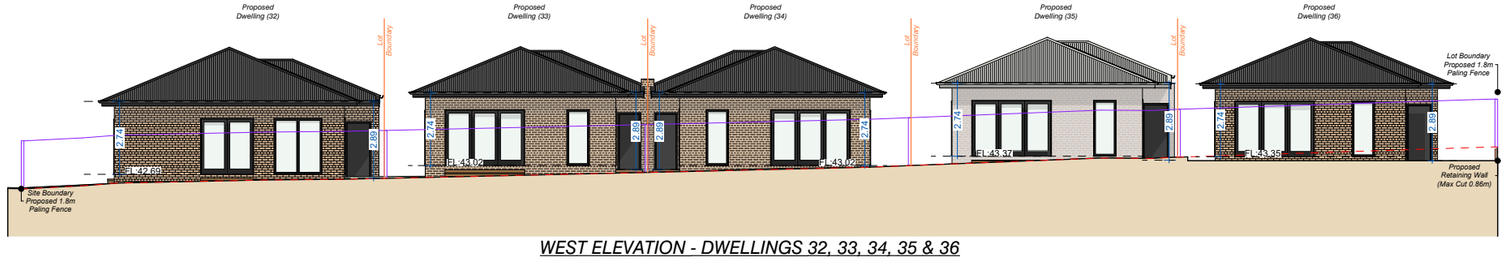
NORTH ELEVATION - DWELLINGS 36



EAST ELEVATION - DWELLINGS 32, 33, 34, 35 & 36



SOUTH ELEVATION - DWELLINGS 36



WEST ELEVATION - DWELLINGS 32, 33, 34, 35 & 36

Notes:

- All roof pitches are shown at 22.5°

- All internal paling fences are 1.8mH

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PROPOSED DEVELOPMENT
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Latrobe City Council
27567 P18
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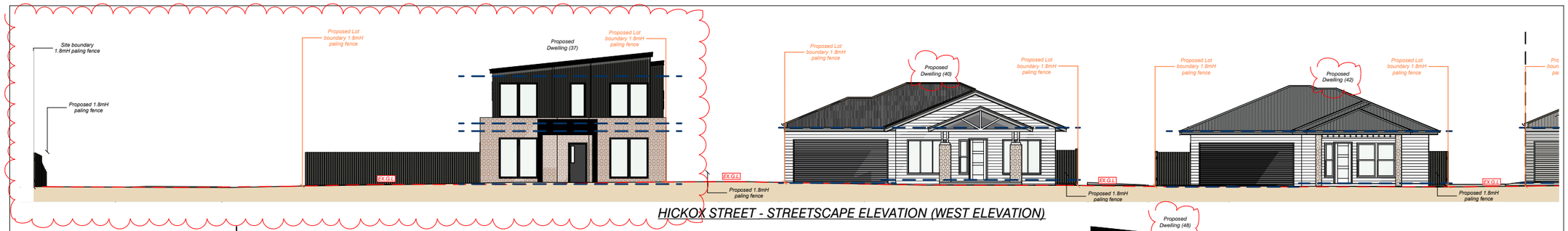
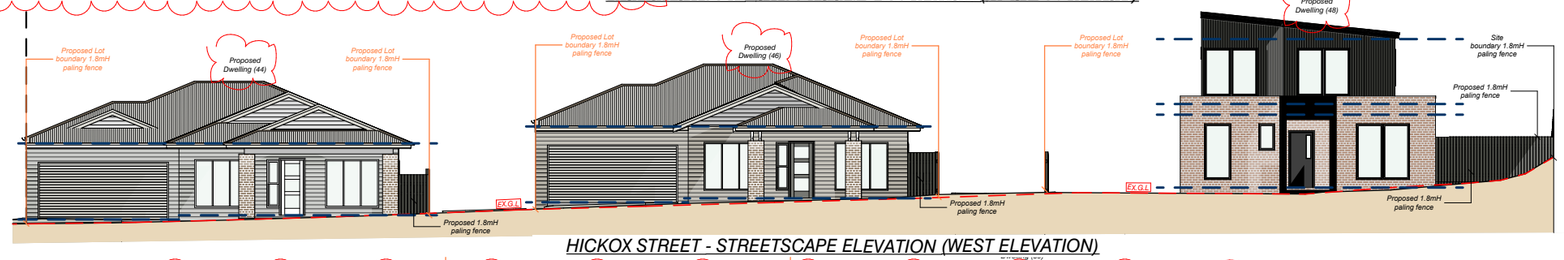
Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



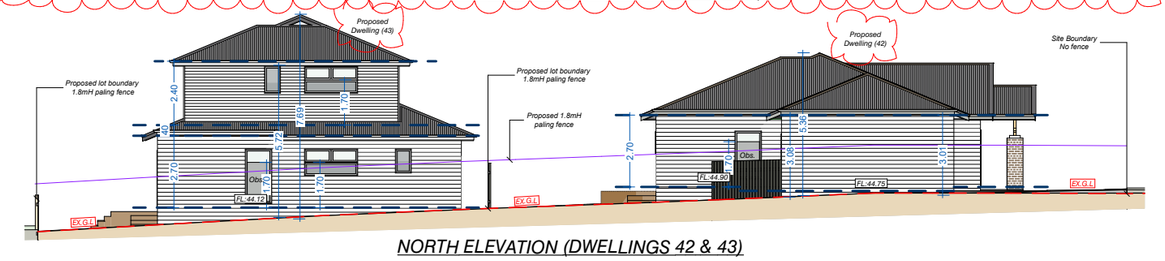
HICKOX STREET - STREETSCAPE ELEVATION (WEST ELEVATION)



HICKOX STREET - STREETSCAPE ELEVATION (WEST ELEVATION)

NORTH ELEVATION (DWELLINGS 37, 38 & 39)

SOUTH ELEVATION (DWELLINGS 37, 38 & 39)



NORTH ELEVATION (DWELLINGS 42 & 43)

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PROPOSED DEVELOPMENT
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27567 P18
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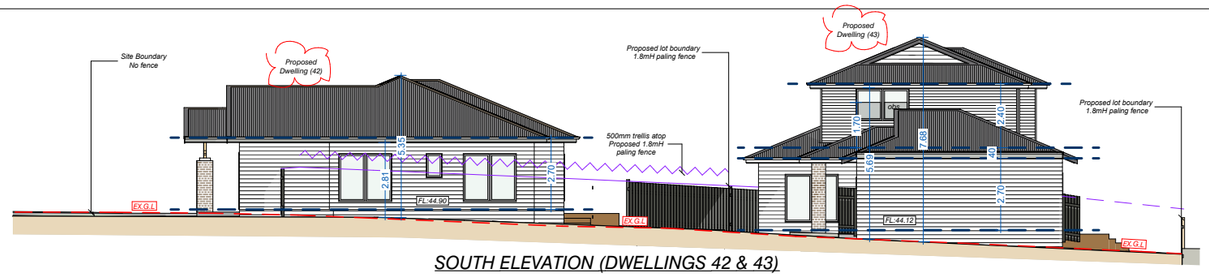
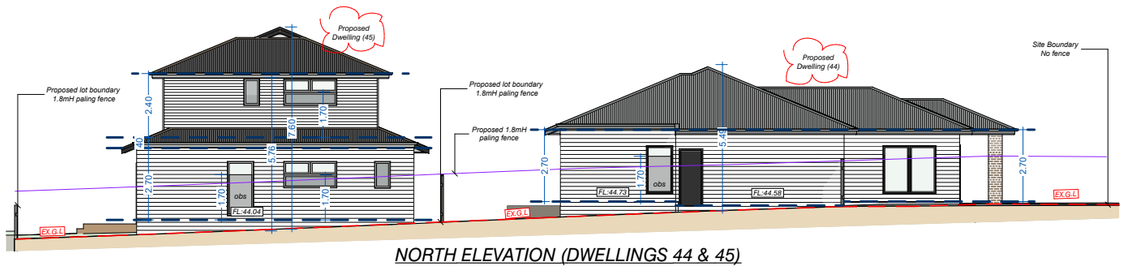
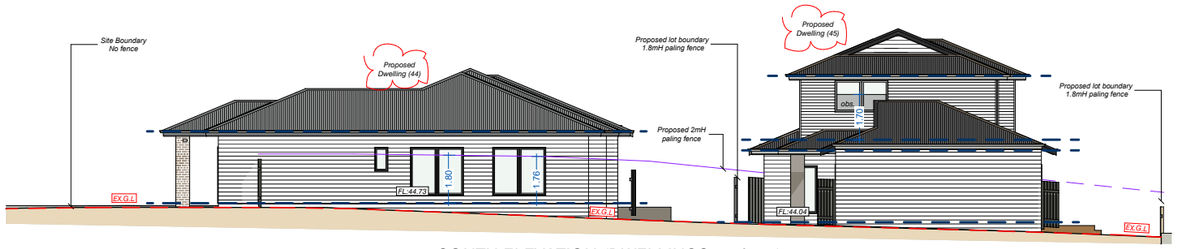
Version: 1, Version Date: 05/04/2024



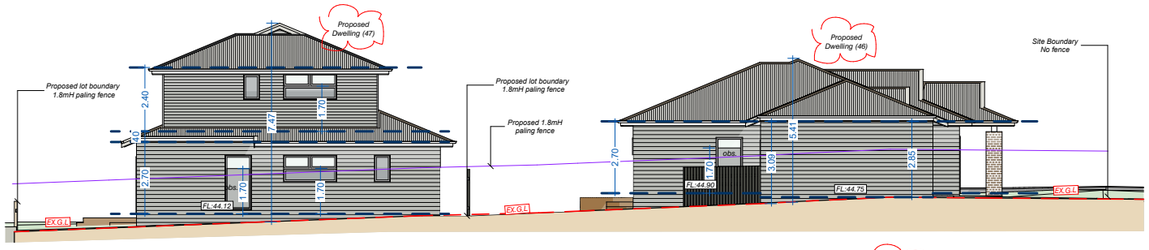
SOUTH ELEVATION (DWELLINGS 42 & 43)

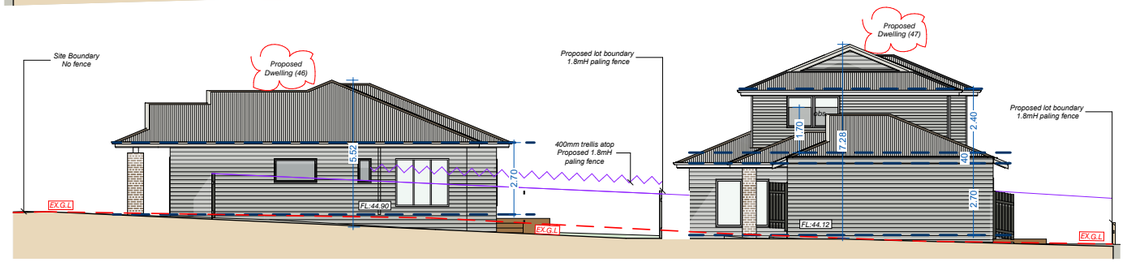


NORTH ELEVATION (DWELLINGS 44 & 45)



SOUTH ELEVATION (DWELLINGS 44 & 45)





SOUTH ELEVATION (DWELLINGS 46 & 47)

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Version	Description	Drafted	Checked	Issue Date
03	Amendments for VCAT	LB/JDP		05/04/2024
02	Amendments made as requested by council.	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

SUBJECT TO APPROVAL

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Land Development Consultants

Civil Engineering
Land Surveying
Landscape Architecture
Project Management
Town Planning
Urban Design

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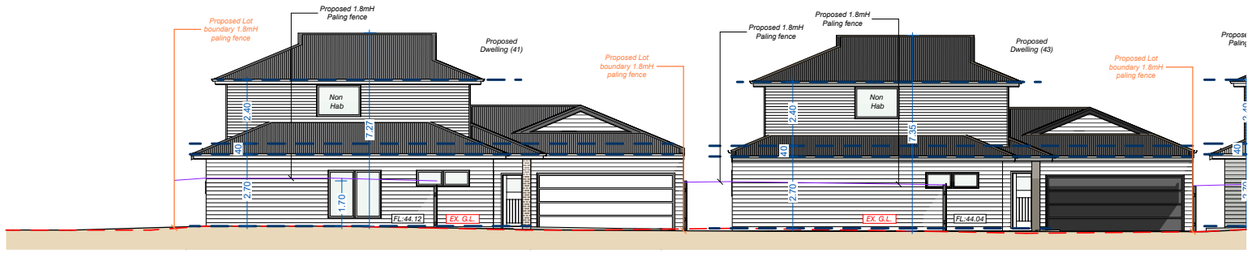
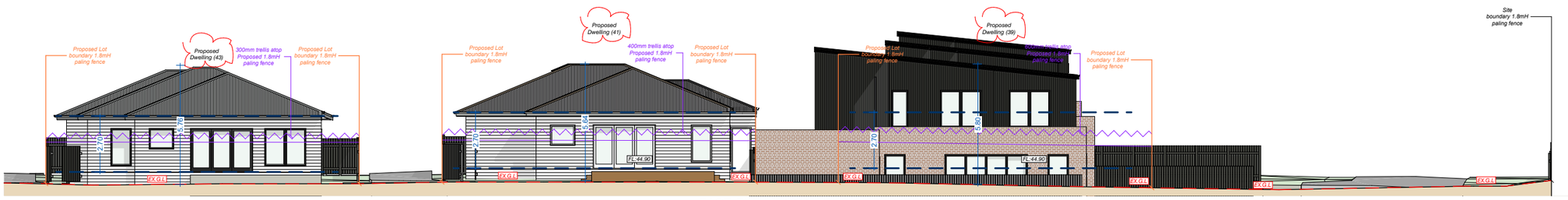
BUILDING ELEVATIONS - SHEET 10 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P18
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

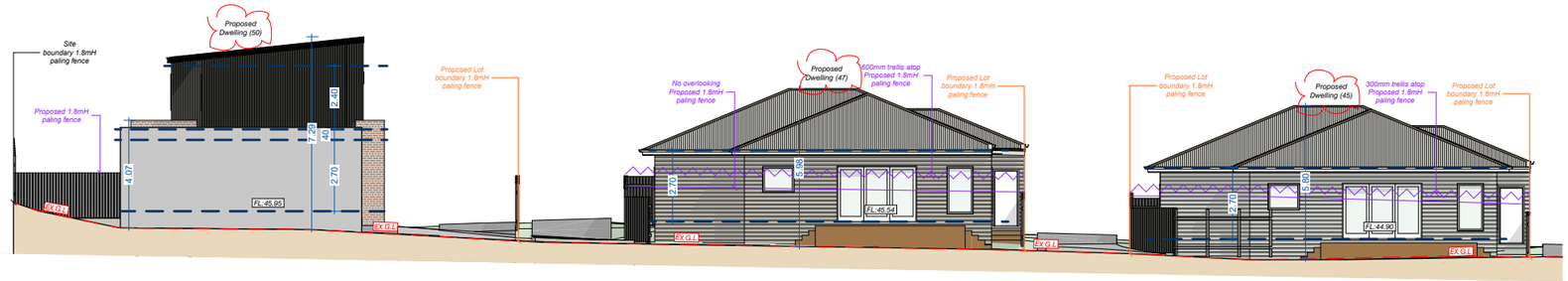


WEST ELEVATION (DWELLINGS 43 & 45)

WEST ELEVATION (DWELLINGS 47, 49 & 51)



EAST ELEVATION (DWELLINGS 39, 41 & 43)



EAST ELEVATION (DWELLINGS 45, 47 & 50)

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03	Amendments for VCAT	LBU/DP		05/04/2024
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BUILDING ELEVATIONS - SHEET 11 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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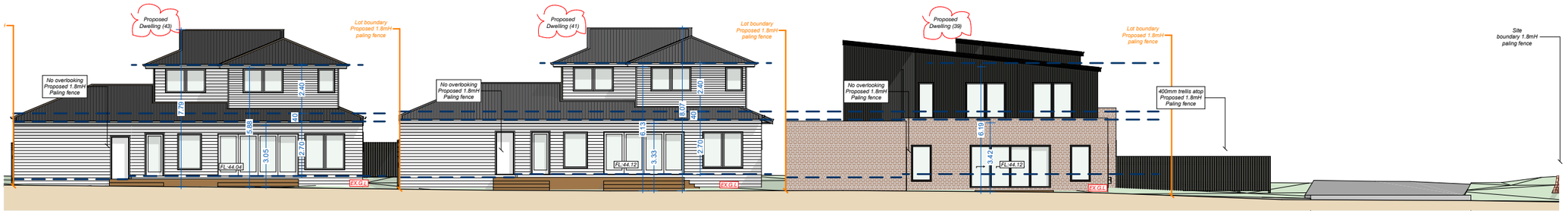
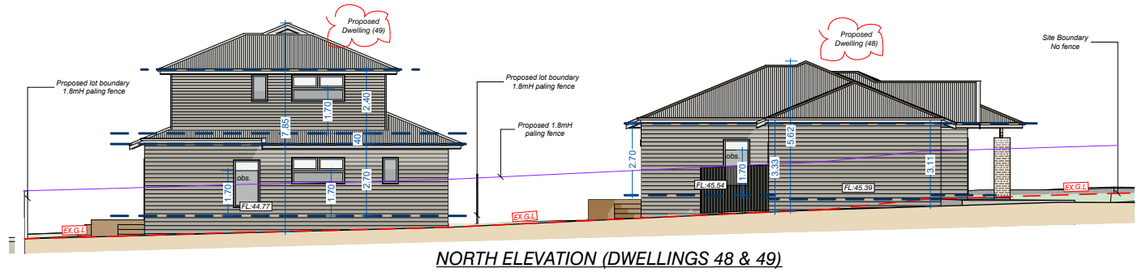
Latrobe City Council
27567 P18
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

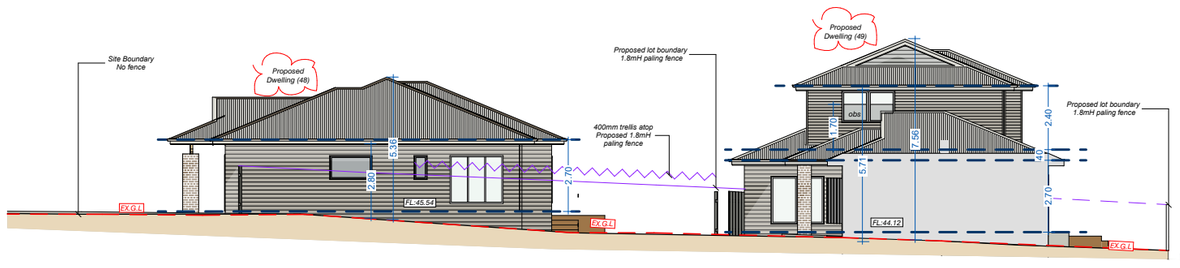


EAST ELEVATION (DWELLINGS 39, 41, 43, 45, 47 & 50)

EAST ELEVATION (DWELLINGS 48, 49 & 50)



NORTH ELEVATION (DWELLINGS 48 & 49)



SOUTH ELEVATION (DWELLINGS 48 & 49)

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Version	Description	Drafted	Checked	Issue Date
03	Amendments for VCAT	LB/JDP		05/04/2024
02	Amendments made as requested by council.	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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BUILDING ELEVATIONS - SHEET 12 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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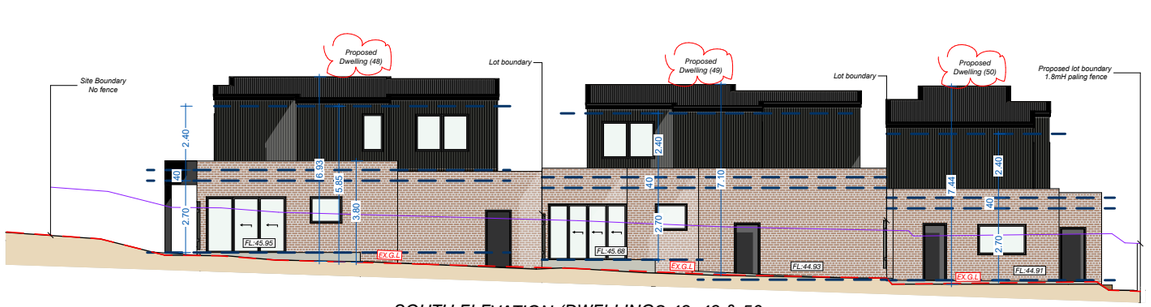
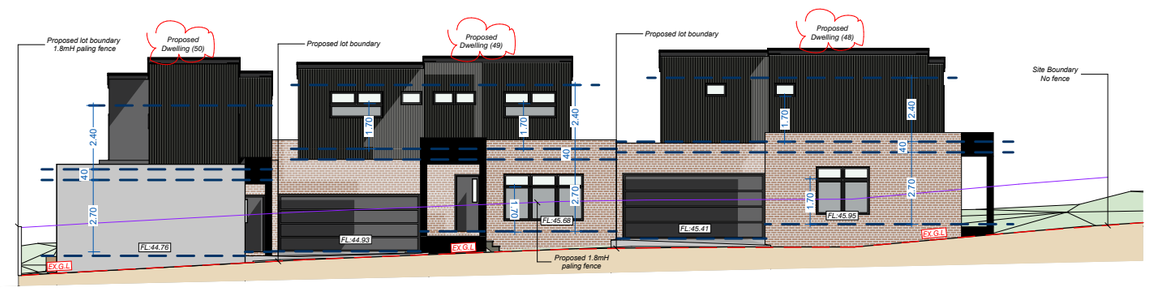
Latrobe City Council
27567 P18
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024



SOUTH ELEVATION (DWELLINGS 48, 49 & 50



NORTH ELEVATION (DWELLINGS 48, 49 & 50

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BUILDING ELEVATIONS - SHEET 13 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P18
Version 03

Document Set ID: 2622884
Version: 1, Version Date: 05/04/2024

NEIGHBOURHOOD CHARACTER

The subject site is a large, irregular shaped, undeveloped parcel of land, situated close to the Traralgon Activity Centre. It is surrounded by a variety of uses including standard residential, public reserves, industrial and commercial areas. There is some evidence of two-lot and multi-lot subdivisions emerging in the surrounding residential area. The proposal has been designed to respond to the existing neighbourhood conditions and future expected growth as follows:

- The site is situated within an area that is near the Traralgon Activity Centre making it highly suitable for medium density residential development. The site comprises an area of 18,270sqm, therefore the proposed 52 units results in an overall housing density of 1:351sqm, which is consistent with the average density of two-lot subdivisions emerging in the surrounding area.
- The proposal includes a diversity of units to meet the growing and diverse needs of the community as follows:
  - 9 x single storey, 1-bedroom dwelling
  - 12 x single storey, 2- bedroom dwelling
  - 16 x single storey, 3-bedroom dwelling
  - 4 x single storey, 4-bedroom dwelling
  - 6 x double storey, 3-bedroom dwelling
  - 5 x double storey, 4-bedroom dwelling
- The overall built form of the development is consistent with the relatively low scale nature of the surrounding neighborhood with the majority of the proposed dwellings being single storey. The double story designs have been located along the western strip of land where most of these sit behind the proposed single storey dwellings so they are not highly visible. Only two double storey dwellings have direct frontage to Hickox Street.
- The development includes appropriate dwelling spacing, to reflect the character of the neighborhood and provide ample space for the provision of landscaping. While most of the dwellings are detached in nature, some dwellings have attached garage wall along one side boundary.
- The architectural style offers a modern development that will contribute positively to the neighbourhood. The materials and colours chosen are complementary to the landscape character of the area and reflect those present in other developments within the neighbourhood. All upper levels of double storey developments are recessed from the lower level, to reduce visual bulk and add articulation.
- The proposed development provides access either directly from Dunbar Road, Hickox Street (either privately or via a shared driveway) or a lengthy common property driveway from Dunbar Road. All driveways are designed to meet design standard for safe and efficient movement of vehicles throughout the development. The common property and private driveways are also designed so that space is available on either side for landscaping to take place.
- All dwellings have been designed to overlook its internal space, however appropriate fencing and screening vegetation has been provided where necessary to reduce the potential of overlooking between dwellings.
- There are a few trees that overhang the boundaries of the site and have been considered in the design of the development. Tree protection zones have been applied to all retained trees and appropriate setbacks have been maintained by the proposed development to ensure the trees remain viable.
- The extensive landscape design proposed for the site and will introduce a variety of native and exotic canopy trees (being 5m or taller) to the gardens of the dwellings and common areas, which will enhance the overall amenity and quality of the development. The new landscaping will soften the built form and ensure that it blends with the surrounding landscape character

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH CLAUSE 55.01-2 DESIGN RESPONSE OF THE PLANNING SCHEME.

Corner of Allard St & Hickox St

Proposed 23 DUNBAR ROAD TRARALGON, 3844

Corner of Allard St & Dunbar Rd

PLANNING SCHEME REQUIREMENTS

The subject site is situated within the *Mixed-Use Zone - Schedule 1 (MUZ1)* and is covered by *Environmental Audit Overlay (EAO)*. A planning submission has been prepared to demonstrate how the proposal is consistent with the relevant State and Local Planning Policies, including the objectives of ResCode. The following key ResCode considerations are detailed within the planning report:

Clause 55.02-5 - Integration with the street
The proposed development has been designed to integrate with the existing streetscape. Seven dwellings have been designed to front Dunbar Road and another seven to front Hickox Street. Ample space is provided within the front setbacks to provide space for landscaping, including the planting of tall canopy trees. Given the unusual shape of the allotment, all remaining dwellings are located to front the internal common property driveways, where they are not highly visible to the streets.

Clause 55.03-3 - Site coverage
Site coverage for the development totals 41%, which is significantly less than the maximum allowed of 60%. It maintains sufficient space for new landscaping and is not contrary to any elements of the neighbourhood character policy. The visual bulk of the dwellings is reduced with use of mixed materials and recessed upper levels that offer substantially smaller building footprints than ground floors. The resulting visual bulk when considered together with the landscape treatment will be acceptable in respect to the neighbourhood.

Clause 55.03-9 - Access
The proposed development will provide access to the dwellings either directly from Dunbar Road, via shared or private driveways from Hickox Street or a lengthy common property driveway from Dunbar Road. The frontage of the site to both streets are wide, and can easily accommodate the crossovers without causing detrimental impact to the streetscape character. No street trees will be detrimentally impacted by access locations. Access to the site is sufficient for service, emergency and delivery vehicles.

Clause 55.04-1 - Side and Rear Setbacks
The development achieves a minimum 1m - 1.2m side setbacks and minimum 3m - 4m rear setback allows for dwelling spacing and usable private open space. All upper levels are substantially setback from the external boundaries and also meet minimum requirements.

Clause 55.05-4 - Private open space
All dwellings meet the open space requirements and are adequate to service the needs of residents. Access to rear yards are provided from main living areas and an outdoor terrace is included to ensure convenient transition between indoor and outdoor spaces.

Clause 55.05-5 - Solar Access to open space
Given the irregular shape of the site, private open space is provided in all directions. Appropriate setbacks have been achieved between dwellings and from rear boundaries to ensure private open spaces achieved appropriate solar access.

Clause 52.06 - Car parking
Each dwelling contains 1-4 bedrooms and are provided with a double garage incorporated into the roofline, or a single garage and tandem carspace, to meet parking requirements. Seven visitor parking spaces are available within the common property areas.

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Version	Description	Drafted	Checked	Issue Date
01	Prepared for planning purposes	TF	MB	04/08/2022

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North
10 5 0 10 20
1:500 @ A2

DESIGN RESPONSE PLAN

PROPOSED DEVELOPMENT
23 DUNBAR ROAD TRARALGON,
LATROBE CITY COUNCIL

27567 P23
Version 01

Document Set ID: 2363524
Version: 1, Version Date: 02/08/2023

LEGEND:

Existing tree/shrub:

Existing tree/shrub to be removed:

Proposed lot boundary:

TOTAL LOT SIZE: 1.827ha
CROWN ALLOTMENT 79L, TOWNSHIP OF TRARALGON
VOL.10588 FOL.614

North

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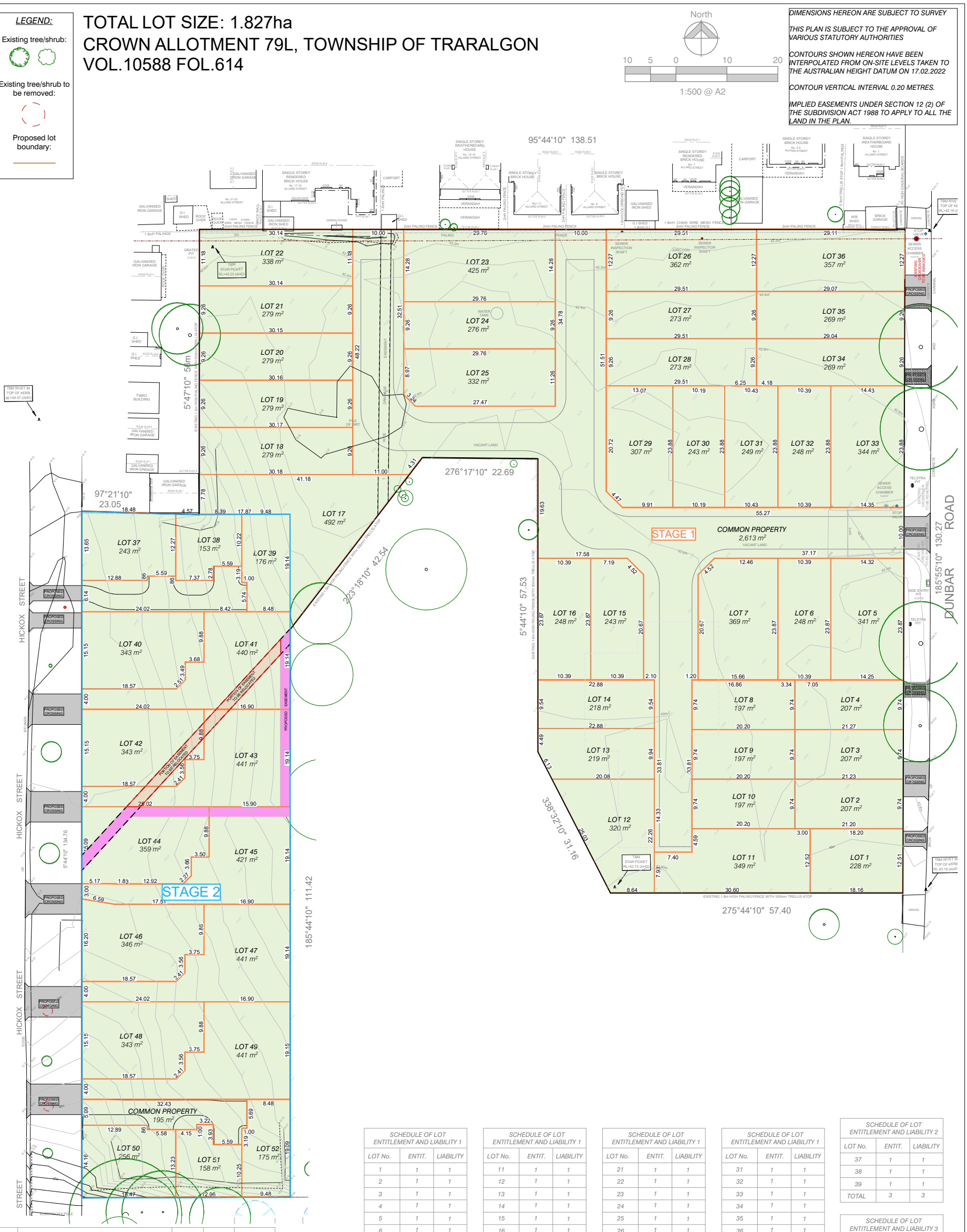
DIMENSIONS HEREON ARE SUBJECT TO SURVEY

THIS PLAN IS SUBJECT TO THE APPROVAL OF VARIOUS STATUTORY AUTHORITIES

CONTOURS SHOWN HEREON HAVE BEEN INTERPOLATED FROM ON-SITE LEVELS TAKEN TO THE AUSTRALIAN HEIGHT DATUM ON 17.02.2022

CONTOUR VERTICAL INTERVAL 0.20 METRES.

IMPLIED EASEMENTS UNDER SECTION 12 (2) OF THE SUBDIVISION ACT 1988 TO APPLY TO ALL THE LAND IN THE PLAN.



Version	Description	Drafted	Checked	Issue Date
01	Prepared for planning purposes	TF	MB	04/08/2022

SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 1

LOT No.	ENTIT.	LIABILITY
1	1	1
2	1	1
3	1	1
4	1	1
5	1	1
6	1	1
7	1	1
8	1	1
9	1	1
10	1	1
TOTAL	36	36

SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 1

LOT No.	ENTIT.	LIABILITY
11	1	1
12	1	1
13	1	1
14	1	1
15	1	1
16	1	1
17	1	1
18	1	1
19	1	1
20	1	1
TOTAL	36	36

SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 1

LOT No.	ENTIT.	LIABILITY
21	1	1
22	1	1
23	1	1
24	1	1
25	1	1
26	1	1
27	1	1
28	1	1
29	1	1
30	1	1
TOTAL	36	36

SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 1

LOT No.	ENTIT.	LIABILITY
31	1	1
32	1	1
33	1	1
34	1	1
35	1	1
36	1	1
TOTAL	36	36

SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 2

LOT No.	ENTIT.	LIABILITY
37	1	1
38	1	1
39	1	1
TOTAL	3	3

SCHEDULE OF LOT ENTITLEMENT AND LIABILITY 3

LOT No.	ENTIT.	LIABILITY
50	1	1
51	1	1
52	1	1
TOTAL	3	3

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PROPOSED PLAN OF SUBDIVISION

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
LATROBE CITY COUNCIL

27567 P22
Version 01

Document Set ID: 2363524
Version: 1, Version Date: 12/06/2023

1 Multiple large recreation reserves located in close proximity to the site featuring playgrounds and multi use areas.

3 The overall site is generous in size and is generally unconstrained, making it well suited to residential development.

4 An opportunity to reflect the subdivision/development pattern occurring throughout the area in a residentially zoned, established urban area, as well as taking advantage of existing infrastructure in a fully serviced area.

5 The existing vehicle crossing is conveniently located and is suitable for retention or to be upgraded as part of any development application.

2 Overlooking constraint to neighbouring properties secluded private open spaces.

7 Location and width of drainage easement and services pose a design constraint to future developmment.

6 The site is very well located and in close proximity to local shops, schools and parks.

NEIGHBOURHOOD CHARACTER:
Residential neighbourhood with a mix of original lot sizes and an increasing amount of subdivided lots. Lot sizes vary with no particular pattern that warrants preservation.

BUILT FORM & SCALE:
-A Mix of Single storey and double storey and split level designs dating from 1940's to current day
-Dwellings are detached or semi-detached.
-Front setbacks generally range from 3.2m to 11.3m.
-Walls on one side boundary or both side boundaries, particularly in newer developments.
-Roofs are pitched in tiles or Colorbond.
-Car parking structures are generally located within rear yards or are attached to the sides of dwellings, some are located within front setbacks.
-Architecture is generally simplistic and large windows dominate frontages.

SLOPE, VIEWS & NOISE:
-Topography across the neighbourhood is gently sloping.
-The site falls approximately 5m from the south-west to the north-east.
-No known cut or fill.
-There are views to the site from Hickox Street, Derby Street and Hickox Street Reserve.
-No significant views from site.
-There are no significant noise sources present.

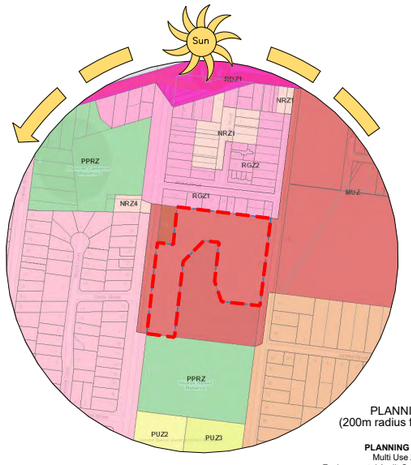
VEGETATION:
-Vegetation within the site has been removed within the last 12 months to make way for the proposed development their approximate location have been shown denoted by a red cross.
-No neighbouring vegetaion will be inpacted by the proposed development.

LOCALITY PLAN
(1.5km radius from site)

WALK SCORE: 36 out of 100
(walkscore.com)

LEGEND

1	Opportunity		Easement, sewer line
2	Constraint	SS DS SL BV WB REN FP SB:9m	Single/double storey, split level, brick veneer, weatherboard, render, fibro panel, approximate front setback,
	Secluded private open space	NH D OBS GAR CP GAR-D ROLL-D	Non-habitable window (NH), habitable window, door (D), obscured window (OBS), Garage, carport, garage door, roller door
	Potential for overlooking neighbouring private open space/habitable windows	99.2 99	Corner levels & contours to AHD, 0.2m intervals on site, 1m intervals in surrounding area
EP EPWL	Overhead electricity line, electricity pole, electricity pole with light	TP SEP SV FP SIS SAC SPo CPo JPo	Service: telstra pit, side entry pit, stop valve, fire plug, sewer inspection shaft, sewer access chamber, sewer pit, grated pit, junction pit
	Tree, dead tree		
	Tree removed within last 12 months		
	Views to site		



PLANNING MAP
(200m radius from site)

PLANNING CONTROLS:
Multi Use Zone - (MUZ)
Environmental Audit Overlay - (EAO)
Designated Bushfire Prone Area

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FOR APPROVAL

No.	Revision Description	Drawn	Checked	Date
1	Submitted to council as part of planning application	JSLY	DG	November 2021

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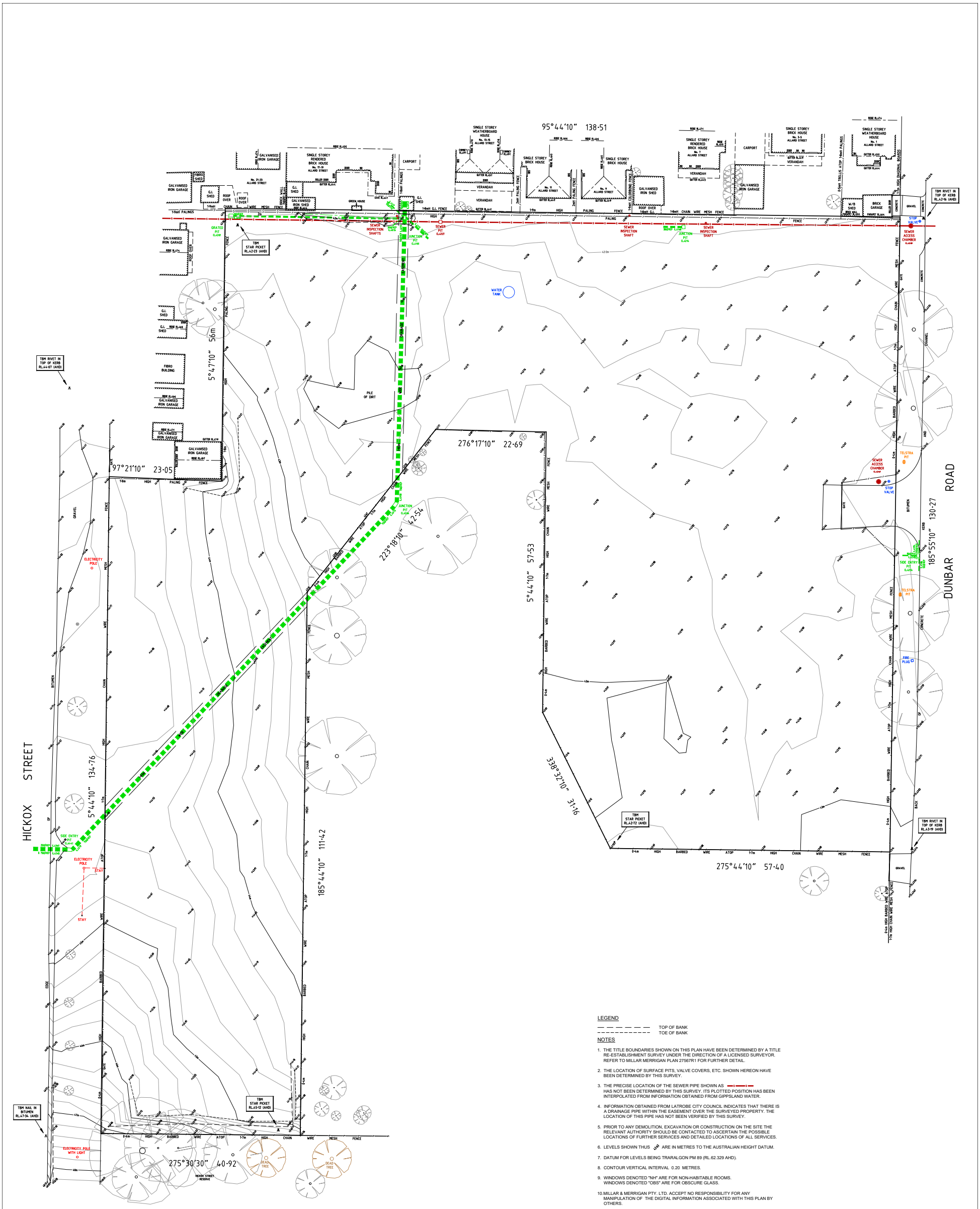
NEIGHBOURHOOD & SITE DESCRIPTION
PROPOSED DEVELOPMENT
23 Dunbar Road, Traralgon
Latrobe City Council

27567P1
VERSION 1
SHEET 1 OF 1

Document Set ID: 2363524
Version: 4, Version Date: 02/08/2022



LEGEND

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NOTES

1. THE TITLE BOUNDARIES SHOWN ON THIS PLAN HAVE BEEN DETERMINED BY A TITLE RE-ESTABLISHMENT SURVEY UNDER THE DIRECTION OF A LICENSED SURVEYOR. REFER TO MILLAR MERRIGAN PLAN 27567R1 FOR FURTHER DETAIL.
2. THE LOCATION OF SURFACE PITS, VALVE COVERS, ETC. SHOWN HEREON HAVE BEEN DETERMINED BY THIS SURVEY.
3. THE PRECISE LOCATION OF THE SEWER PIPE SHOWN AS — I — I — HAS NOT BEEN DETERMINED BY THIS SURVEY. ITS PLOTTED POSITION HAS BEEN INTERPOLATED FROM INFORMATION OBTAINED FROM GIPPSLAND WATER.
4. INFORMATION OBTAINED FROM LATROBE CITY COUNCIL INDICATES THAT THERE IS A DRAINAGE PIPE WITHIN THE EASEMENT OVER THE SURVEYED PROPERTY. THE LOCATION OF THIS PIPE HAS NOT BEEN VERIFIED BY THIS SURVEY.
5. PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE THE RELEVANT AUTHORITY SHOULD BE CONTACTED TO ASCERTAIN THE POSSIBLE LOCATIONS OF FURTHER SERVICES AND DETAILED LOCATIONS OF ALL SERVICES.
6. LEVELS SHOWN THUS 142·5 ARE IN METRES TO THE AUSTRALIAN HEIGHT DATUM.
7. DATUM FOR LEVELS BEING TRARALGON PM 89 (RL.62.329 AHD).
8. CONTOUR VERTICAL INTERVAL 0.20 METRES.
9. WINDOWS DENOTED "NH" ARE FOR NON-HABITABLE ROOMS. WINDOWS DENOTED "OBS" ARE FOR OBSCURE GLASS.
10. MILLAR & MERRIGAN PTY. LTD. ACCEPT NO RESPONSIBILITY FOR ANY MANIPULATION OF THE DIGITAL INFORMATION ASSOCIATED WITH THIS PLAN BY OTHERS.

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	Initials	Date
Surveyed	LG/SF	15.09.2021
Drafted	DT	22.09.2021
Additional Survey	MZ	11.02.2022
Amended	DT	15.02.2022
Checked	CS	17.02.2022

FINAL PLAN

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MGA2020
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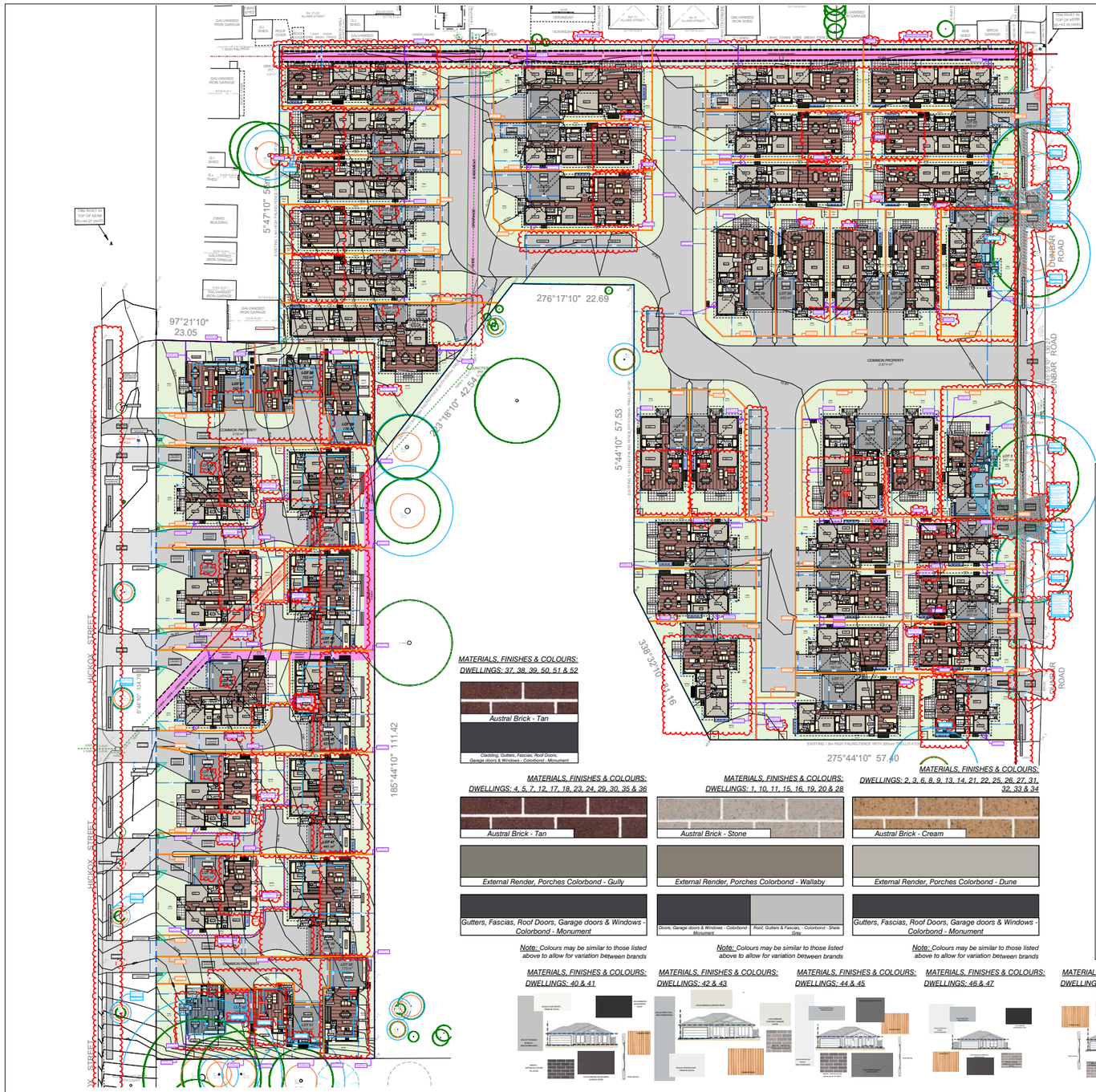
1:250
Original sheet size A0

FEATURE & LEVEL PLAN
23 DUNBAR ROAD
TRARALGON, 3844
CROWN ALLOTMENT 79L, TOWNSHIP OF TRARALGON
VOL.10588 FOL.614
27567F1
SITE AREA: 1.827ha
VICROADS: 98 A-5
VERSION 2
SHEET 1 OF 1

Document Set ID: 2363524
Version: 4, Version Date: 02/08/2023



MATERIALS, FINISHES & COLOURS:
DWELLINGS: 37, 38, 39, 50, 51 & 52

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 4, 5, 7, 12, 17, 18, 23, 24, 29, 30, 35 & 36

Note: Colours may be similar to those listed above to allow for variation between brands

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 1, 10, 11, 15, 16, 19, 20 & 28

Note: Colours may be similar to those listed above to allow for variation between brands

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 2, 3, 6, 8, 9, 13, 14, 21, 22, 25, 26, 27, 31, 32, 33 & 34

Note: Colours may be similal to those listed above to allow for variation between brands

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 40 & 41

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 42 & 43

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 44 & 45

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 46 & 47

MATERIALS, FINISHES & COLOURS:
DWELLINGS: 48 & 49

LEGEND:

Existing tree/shrub:
Tree to be removed:
Proposed fence:
Existing fence:
Proposed retaining wall:
Proposed lot boundary:
Proposed spot level: 88.40
Sightline Splay:
Sewer Line: —S—S—S—
Obscure window:
Existing easement:
TPZ & SRZ:

NOTES:

1. This plan is to be read in conjunction with the Plan of Survey (27567F1), the Ground & Upper Floor Plans (27567P3-P17), the Building Elevations Sheets 1-13 (27567P18), the Shadow Diagrams (27567P19-21), the Proposed Subdivision Plan (27567P22) and the Landscape Plan (27567L01). It has been prepared as part of a town planning submission.

2. Dunbar Road Car Parking & Access-
Lots 1, 2, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 24, 27, 28, 30, 31, 32 & 33. The proposed single storey dwellings have one - two bedrooms and an attached single car garage.

Lots 7, 11, 17, 18, 19, 20, 21, 22, 23, 25, 26, 29, 34, 35 & 36 - The proposed single storey dwellings have three - four bedrooms and an attached single car garage and tandem carspace or a double car garage.

Access- There are 5 proposed concrete crossovers which will provide access to lots 1, 2, 3, 4, 34, 35 & 36. At the centre of the site a proposed bitumen road will provide access off Dunbar Road to the remaining lots.

3. Hickox Street Car Parking & Access-
Lots 40, 42, 44, 46 & 48. The proposed single storey dwellings have Three bedrooms and an attached double car garage.

Lots 37, 38, 39, 41, 43, 45, 47, 49, 50, 51 & 52 - The proposed double storey dwellings have three - four bedrooms and an attached double car garage.

Access- There are 7 proposed concrete crossovers which will provide access to all the lots along Hickox Street.

4. Overlooking-
The proposed dwellings have been designed to overlook their own internal open space common driveway or streets. Trellis & obscure glazing is proposed to prevent overlooking as required. Screening vegetation will be used to soften fencelines and further prevent overlooking where considered necessary (See Landscape Plan).

5. Shadows-
Refer to the Shadow Diagrams (27567P19-21) for solar access to all lots.

6. Daylight to habitable windows-
Adequate daylight is available to all existing and proposed habitable windows with 1m clear to the sky achieved for all.

7. Sightline Splay - 2m x 2.5m splay to be 50% clear of visual obstructions above 900mm in height.

8. Spot Levels and contours shown are to AHD

DEVELOPMENT SUMMARY:

Site Area: 18,270m²
Proposed density: 1 per 351m²

Lot 1: Area- 228m²
Ground floor area (inc. garage & porch) - 113m²
Private open space- 43m²
Secluded private open space- 54m²

Lot 2: Area- 207m²
Ground floor area (inc. garage & porch)- 110m²
Private open space- 27m²
Secluded private open space- 53m²

Lot 3: Area- 207m²
Ground floor area (inc. garage & porch)- 109m²
Private open space- 28m²
Secluded private open space- 53m²

Lot 4: Area- 207m²
Ground floor area (inc. garage, porch)- 109m²
Private open space- 28m²
Secluded private open space- 53m²

Lot 5: Area- 341m²
Ground floor area (inc. garage & porch)- 125m²
Private open space- 146m²
Secluded private open space- 55m²

Lot 6: Area- 342m²
Ground floor area (inc. garage & porch)- 122m²
Private open space- 31m²
Secluded private open space- 78m²

Lot 7: Area- 369m²
Ground floor area (inc. garage & porch)- 193m²
Private open space- 50m²
Secluded private open space- 103m²

Lot 8: Area- 197m²
Ground floor area (inc. garage & porch)- 108m²
Private open space- 21m²
Secluded private open space- 52m²

Lot 9: Area- 197m²
Ground floor area (inc. garage & porch)- 108m²
Private open space- 22m²
Secluded private open space- 52m²

Lot 10: Area- 197m²
Ground floor area (inc. garage & porch)- 109m²
Private open space- 22m²
Secluded private open space- 52m²

Lot 11: Area- 349m²
Ground floor area (inc. garage & porch) - 178m²
Private open space- 54m²
Secluded private open space- 136m²

Lot 12: Area- 220m²
Ground floor area (inc. garage & porch)- 137m²
Private open space- 55m²
Secluded private open space- 115m²

Lot 13: Area- 218m²
Ground floor area (inc. garage & porch)- 108m²
Private open space- 33m²
Secluded private open space- 60m²

Lot 14: Area- 243m²
Ground floor area (inc. garage, porch)- 108m²
Private open space- 28m²
Secluded private open space- 64m²

Lot 15: Area- 296m²
Ground floor area (inc. garage & porch)- 122m²
Private open space- 26m²
Secluded private open space- 57m²

Lot 16: Area- 402m²
Ground floor area (inc. garage & porch)- 122m²
Private open space- 31m²
Secluded private open space- 78m²

Lot 17: Area- 487m²
Ground floor area (inc. garage & porch)- 201m²
Private open space- 44m²
Secluded private open space- 189m²

Lot 18: Area- 275m²
Ground floor area (inc. garage & porch)- 151m²
Private open space- 34m²
Secluded private open space- 72m²

Lot 19: Area- 275m²
Ground floor area (inc. garage & porch)- 151m²
Private open space- 34m²
Secluded private open space- 72m²

Lot 20: Area- 275m²
Ground floor area (inc. garage & porch)- 151m²
Private open space- 34m²
Secluded private open space- 72m²

Lot 21: Area- 276m²
Ground floor area (inc. garage & porch) - 151m²
Private open space- 34m²
Secluded private open space- 71m²

Lot 22: Area- 347m²
Ground floor area (inc. garage & porch)- 162m²
Private open space- 49m²
Secluded private open space- 118m²

Lot 23: Area- 425m²
Ground floor area (inc. garage & porch)- 200m²
Private open space- 55m²
Secluded private open space- 141m²

Lot 24: Area- 276m²
Ground floor area (inc. garage porch)- 151m²
Private open space- 31m²
Secluded private open space- 73m²

Lot 25: Area- 332m²
Ground floor area (inc. garage & porch)- 191m²
Private open space- 35m²
Secluded private open space- 80m²

Lot 26: Area- 362m²
Ground floor area (inc. garage & porch)- 160m²
Private open space- 48m²
Secluded private open space- 135m²

Lot 27: Area- 273m²
Ground floor area (inc. garage & porch)- 151m²
Private open space- 31m²
Secluded private open space- 72m²

Lot 28: Area- 273m²
Ground floor area (inc. garage & porch)- 151m²
Private open space- 31m²
Secluded private open space- 72m²

Lot 29: Area- 307m²
Ground floor area (inc. garage & porch)- 163m²
Private open space- 33m²
Secluded private open space- 88m²

Lot 30: Area- 243m²
Ground floor area (inc. garage & porch)- 130m²
Private open space- 31m²
Secluded private open space- 66m²

Lot 31: Area- 249m²
Ground floor area (inc. garage & porch) - 131m²
Private open space- 31m²
Secluded private open space- 69m²

Lot 32: Area- 248m²
Ground floor area (inc. garage & porch)- 131m²
Private open space- 31m²
Secluded private open space- 69m²

Lot 33: Area- 344m²
Ground floor area (inc. garage & porch)- 112m²
Private open space- 146m²
Secluded private open space- 67m²

Lot 34: Area- 269m²
Ground floor area (inc. garage, porch)- 151m²
Private open space- 27m²
Secluded private open space- 73m²

Lot 35: Area- 269m²
Ground floor area (inc. garage & porch)- 151m²
Private open space- 27m²
Secluded private open space- 73m²

Lot 36: Area- 357m²
Ground floor area (inc. garage & porch)- 160m²
Private open space- 45m²
Secluded private open space- 135m²

Lot 37: Area- 243m²
Ground floor area (inc. garage & porch)- 123m²
Upper floor area- 66m²
Private open space- 71m²
Secluded private open space- 51m²

Lot 38: Area- 153m²
Ground floor area (inc. garage & porch) - 110m²
Upper floor area- 61m²
Secluded private open space- 44m²

Lot 39: Area- 176m²
Ground floor area (inc. garage & porch)- 107m²
Upper floor area- 67m²
Secluded private open space- 68m²

Lot 40: Area- 342m²
Ground floor area (inc. garage & porch)- 163m²
Private open space- 95m²
Secluded private open space- 95m²

Lot 41: Area- 441m²
Ground floor area (inc. garage & porch)- 163m²
Upper floor area- 70m²
Secluded private open space- (inc. balcony)- 108m²

Lot 42: Area- 342m²
Ground floor area (inc. garage & porch)- 162m²
Private open space- 95m²
Secluded private open space- 95m²

Lot 43: Area- 441m²
Ground floor area (inc. garage & porch)- 181m²
Upper floor area- 70m²
Secluded private open space- 110m²

Lot 44: Area- 342m²
Ground floor area (inc. garage & porch)- 166m²
Private open space- 95m²
Secluded private open space- 84m²

Lot 45: Area- 421m²
Ground floor area (inc. garage & porch) - 164m²
Upper floor area- 70m²
Secluded private open space- 115m²

Lot 46: Area- 342m²
Ground floor area (inc. garage & porch)- 166m²
Private open space- 95m²
Secluded private open space- 95m²

Lot 47: Area- 441m²
Ground floor area (inc. garage & porch)- 181m²
Upper floor area- 70m²
Secluded private open space- 110m²

Lot 48: Area- 342m²
Ground floor area (inc. garage & porch)- 163m²
Private open space- 96m²
Secluded private open space- 97m²

Lot 49: Area- 441m²
Ground floor area (inc. garage & porch)- 181m²
Upper floor area- 70m²
Secluded private open space- 110m²

Lot 50: Area- 256m²
Ground floor area (inc. garage & porch)- 110m²
Upper floor area- 45m²
Private open space- 74m²
Secluded private open space- 27m²

Lot 51: Area- 167m²
Ground floor area (inc. garage & porch)- 106m²
Upper floor area- 56m²
Secluded private open space- 51m²

Lot 52: Area- 175m²
Ground floor area (inc. garage & porch)- 107m²
Upper floor area- 61m²
Secluded private open space- 69m²

Dunbar Common Property: 2612m²
Lots 37, 38 & 39 219m²
Lots 50, 51 & 52 195m²

Site Coverage (buildings): 7,461m² = 41%

Impervious Surfaces:
Buildings- 7,461m²
Driveways & paving- 3,642m²
Total impervious- 11,103m² = 60.7%
Permeable area: = 39.3%

Garden Area: 6,976m² = 38%

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03	Amendments made as requested by council	TF		Work in Progress
02	Amendments made as requested by council	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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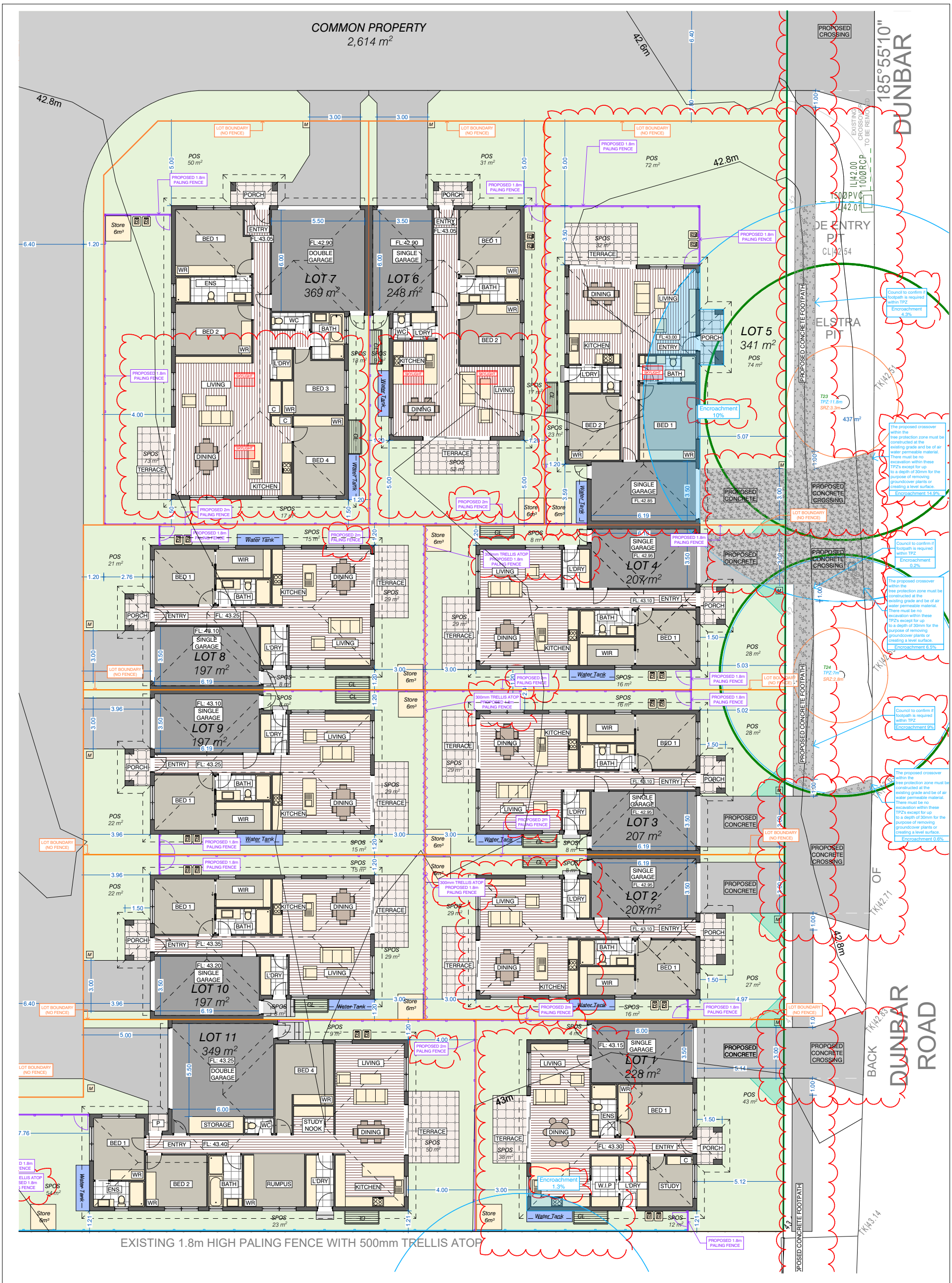
North
8 4 0 8 16
1:400 @ A1

OVERALL SITE LAYOUT
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P2 - OVERALL SITE LAYOUT
Version 03

Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023



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02	Amendments made as requested by council.		SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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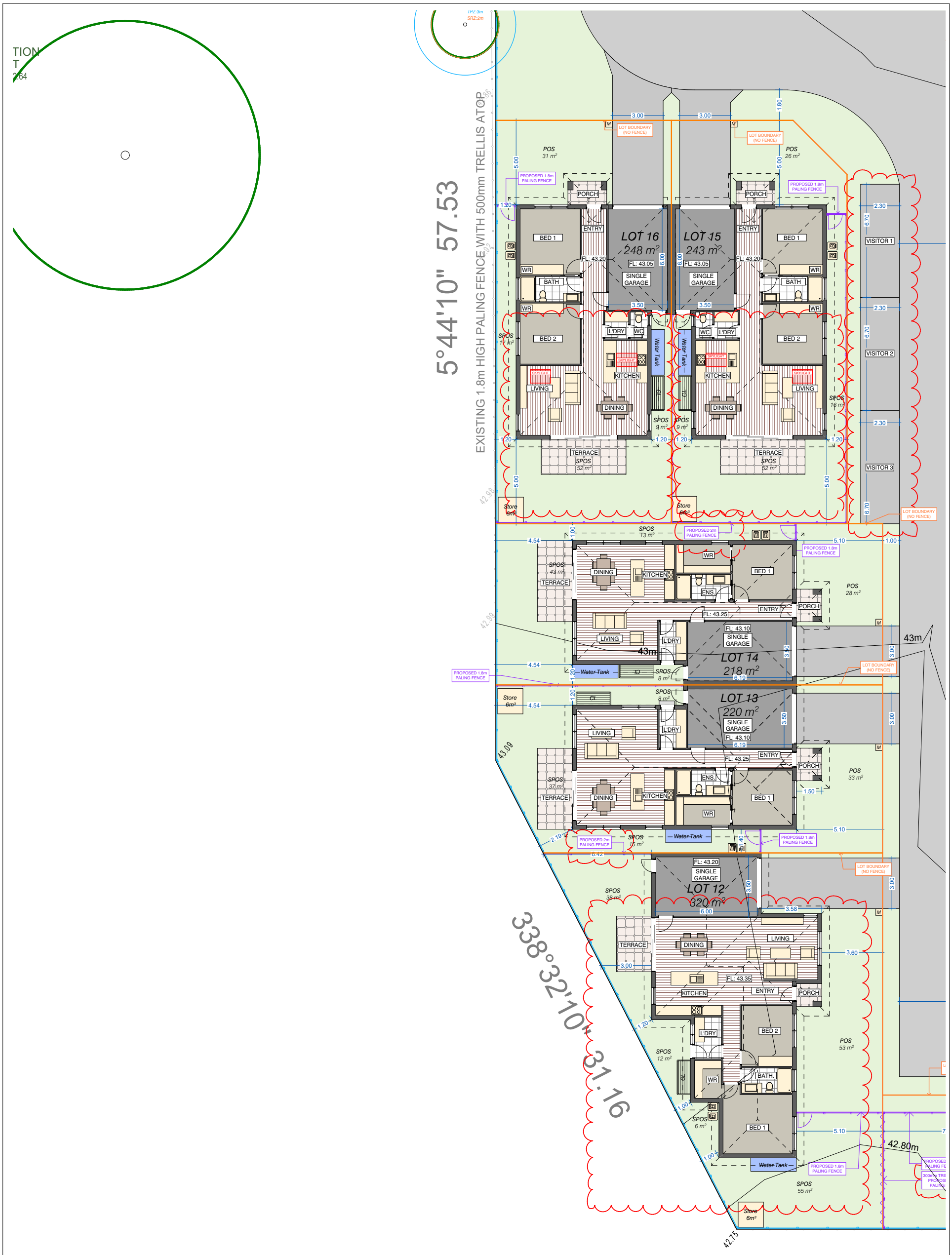
Version: 4, Version Date: 07/06/2023



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GROUND FLOOR - DWELLINGS 12-16

PROPOSED DEVELOPMENT

23 DUNBAR ROAD, TRARALGON
LATROBE CITY COUNCIL

27567 P4
Version 3

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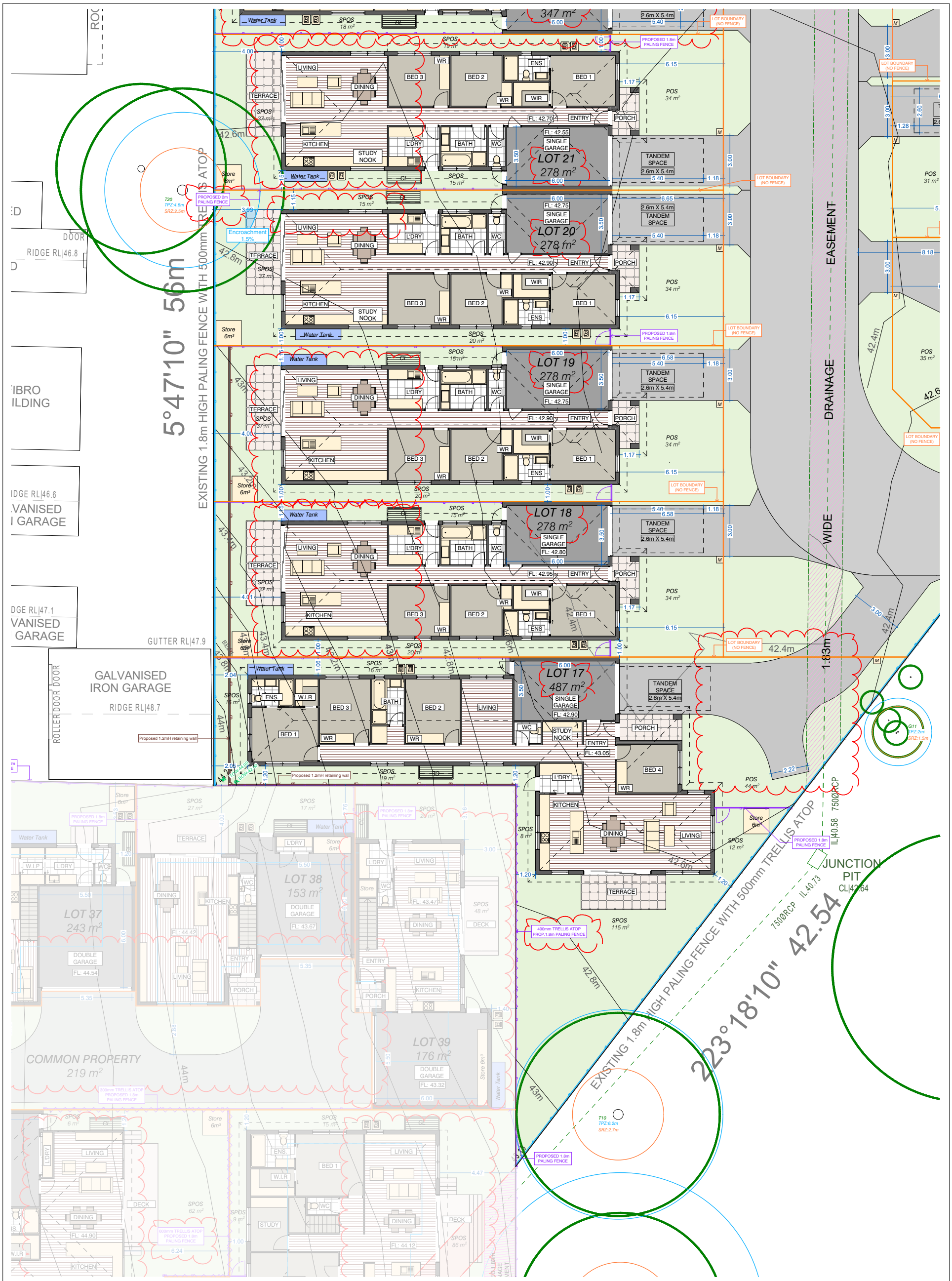

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GROUND FLOOR - DWELLINGS - 17-21

PROPOSED DEVELOPMENT
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LATROBE CITY COUNCIL

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27567 P5
Version 3

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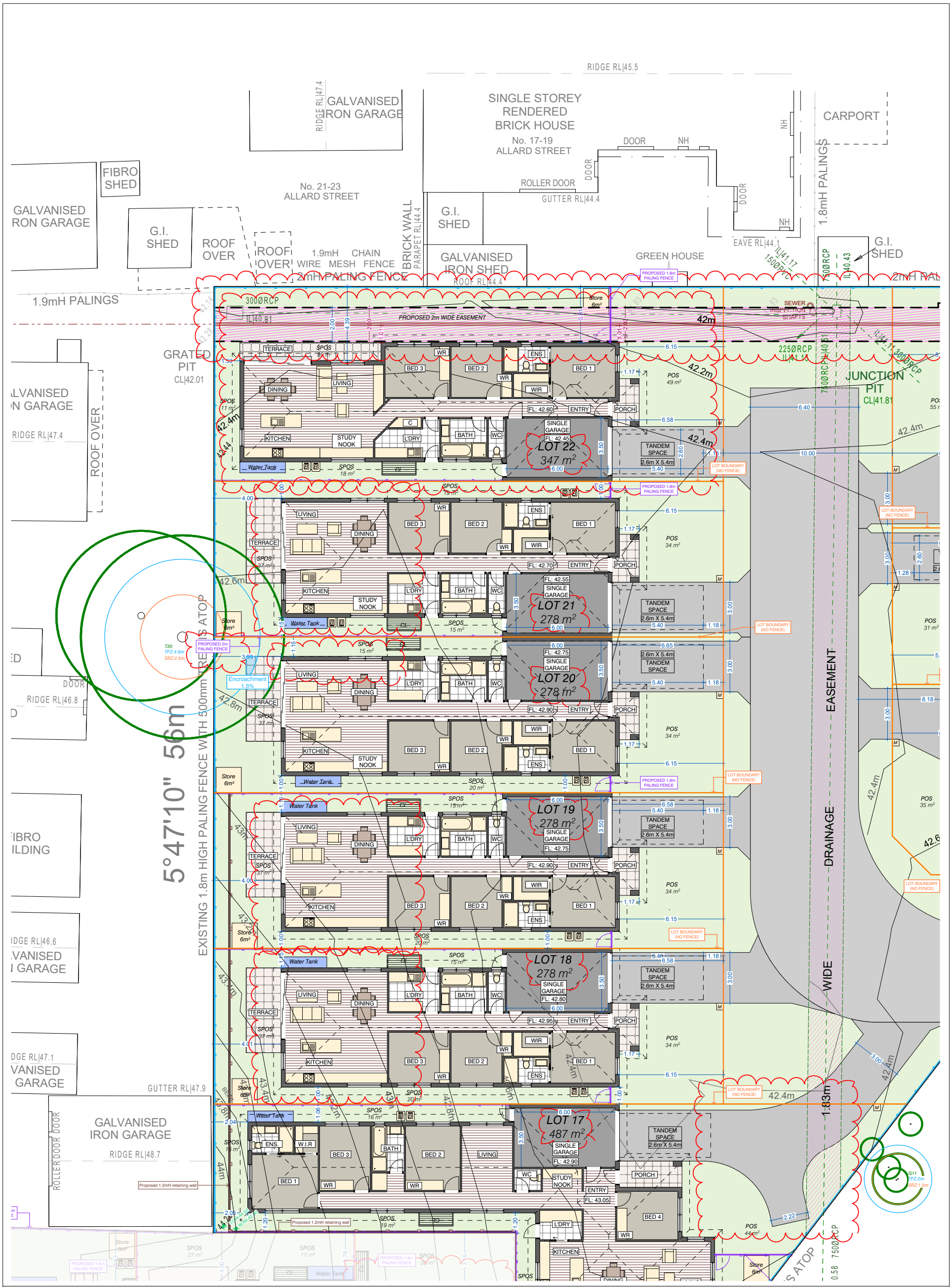

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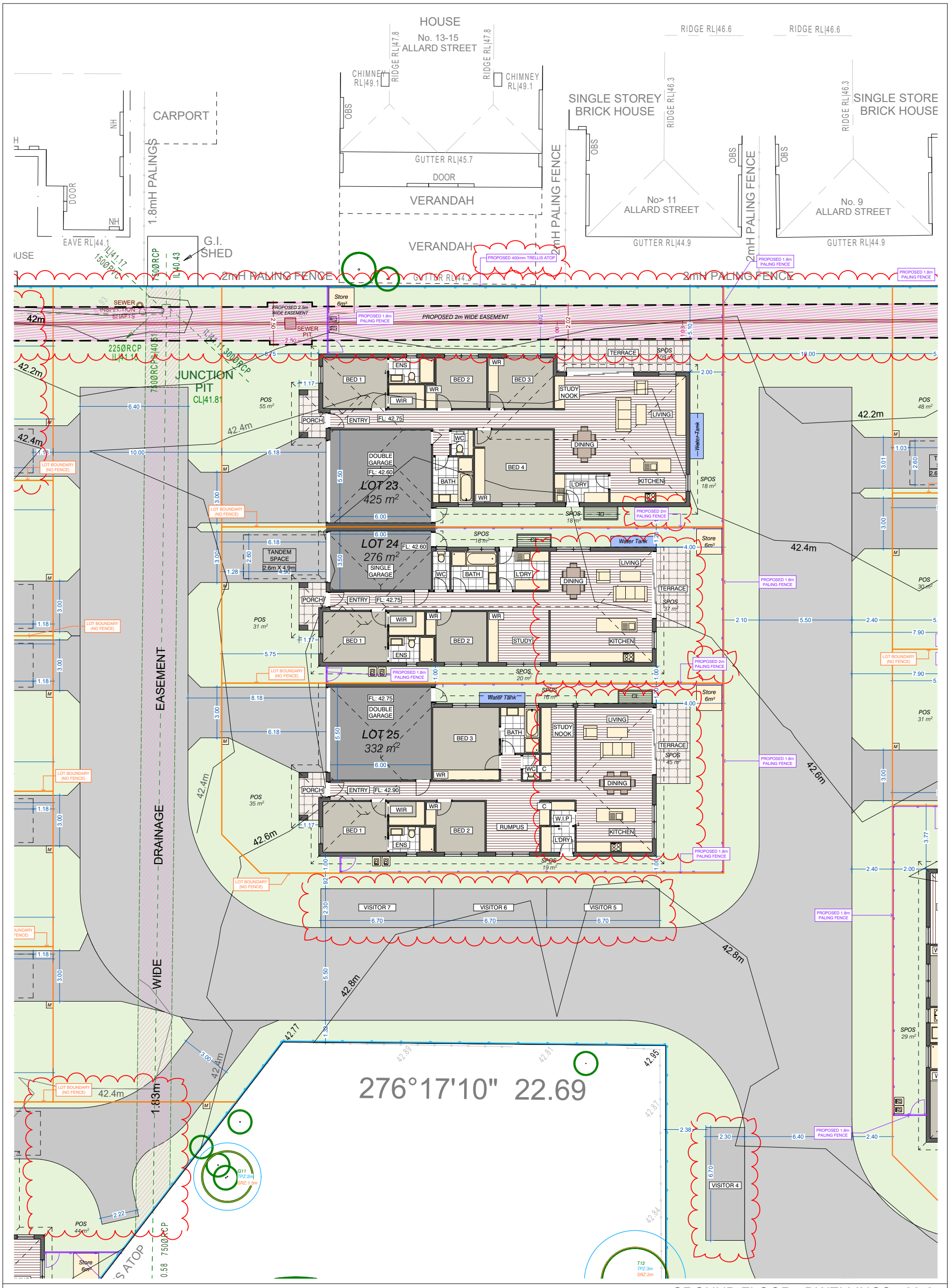

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GROUND FLOOR - DWELLINGS - 23-25

PROPOSED DEVELOPMENT

23 DUNBAR ROAD, TRARALGON
LATROBE CITY COUNCIL

27567 P7
Version 3

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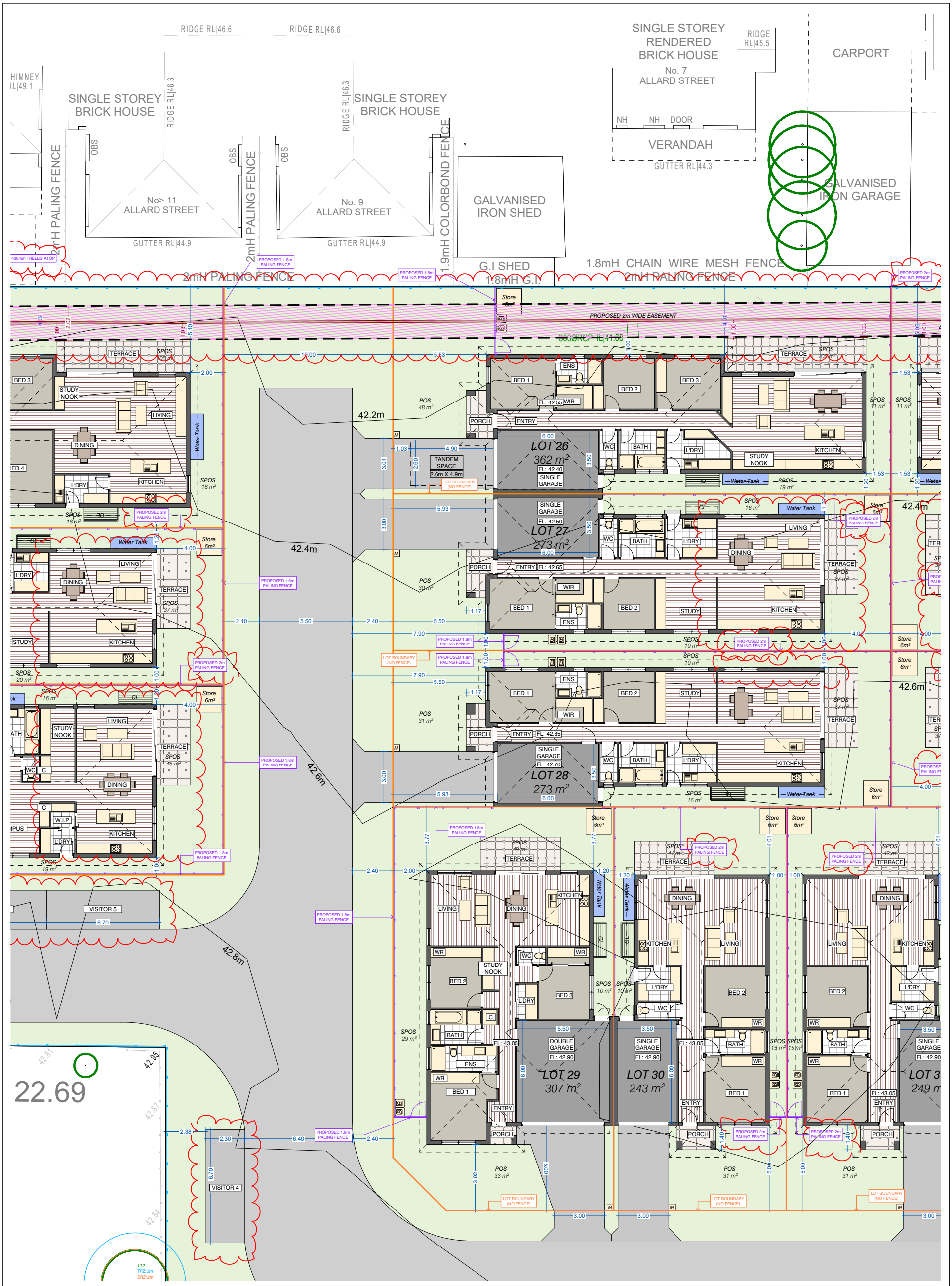

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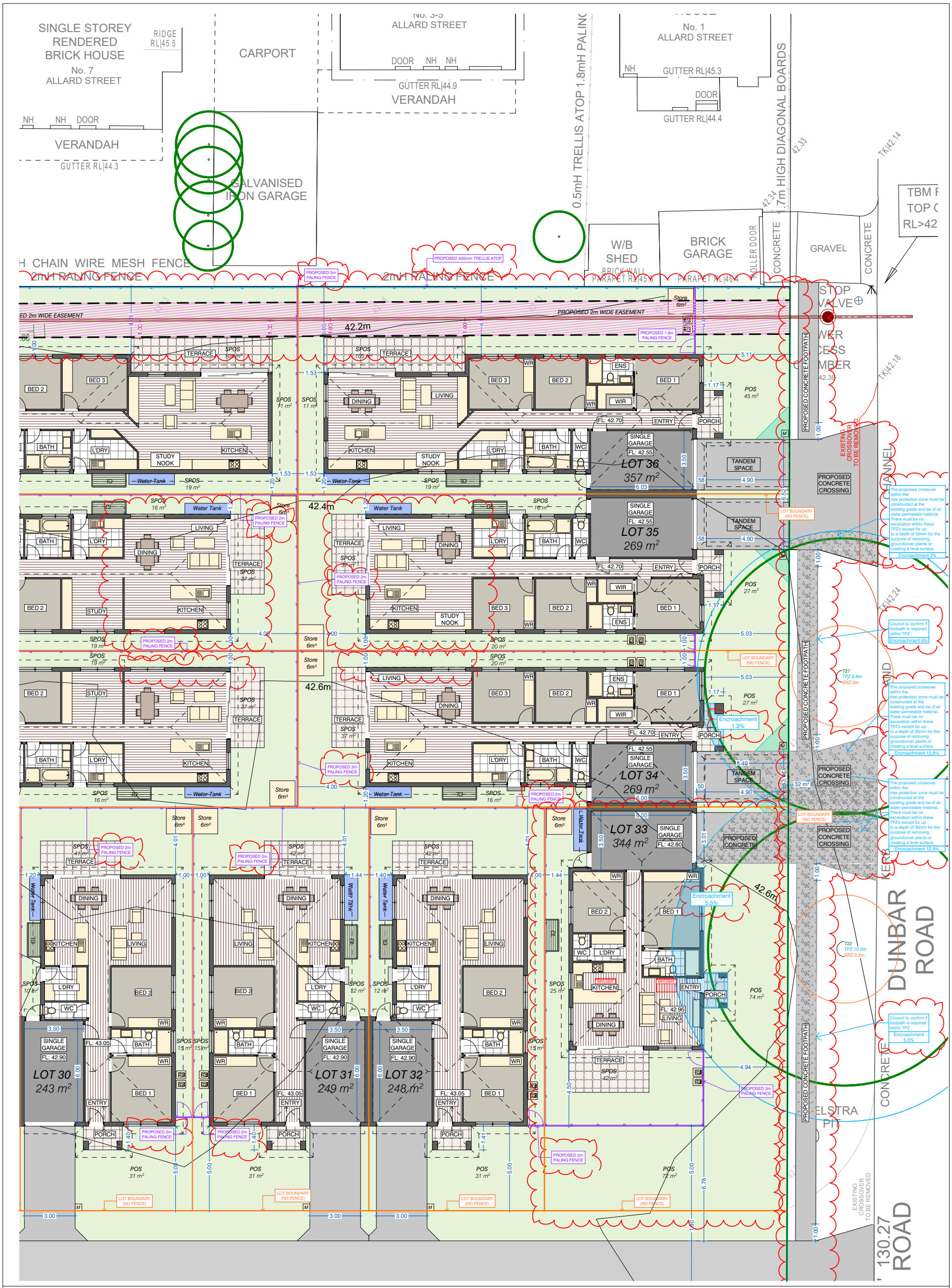

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GROUND FLOOR - DWELLINGS 30-36

PROPOSED DEVELOPMENT
23 DUNBAR ROAD, TRARALGON
LATROBE CITY COUNCIL

North

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27567 P9
Version 3

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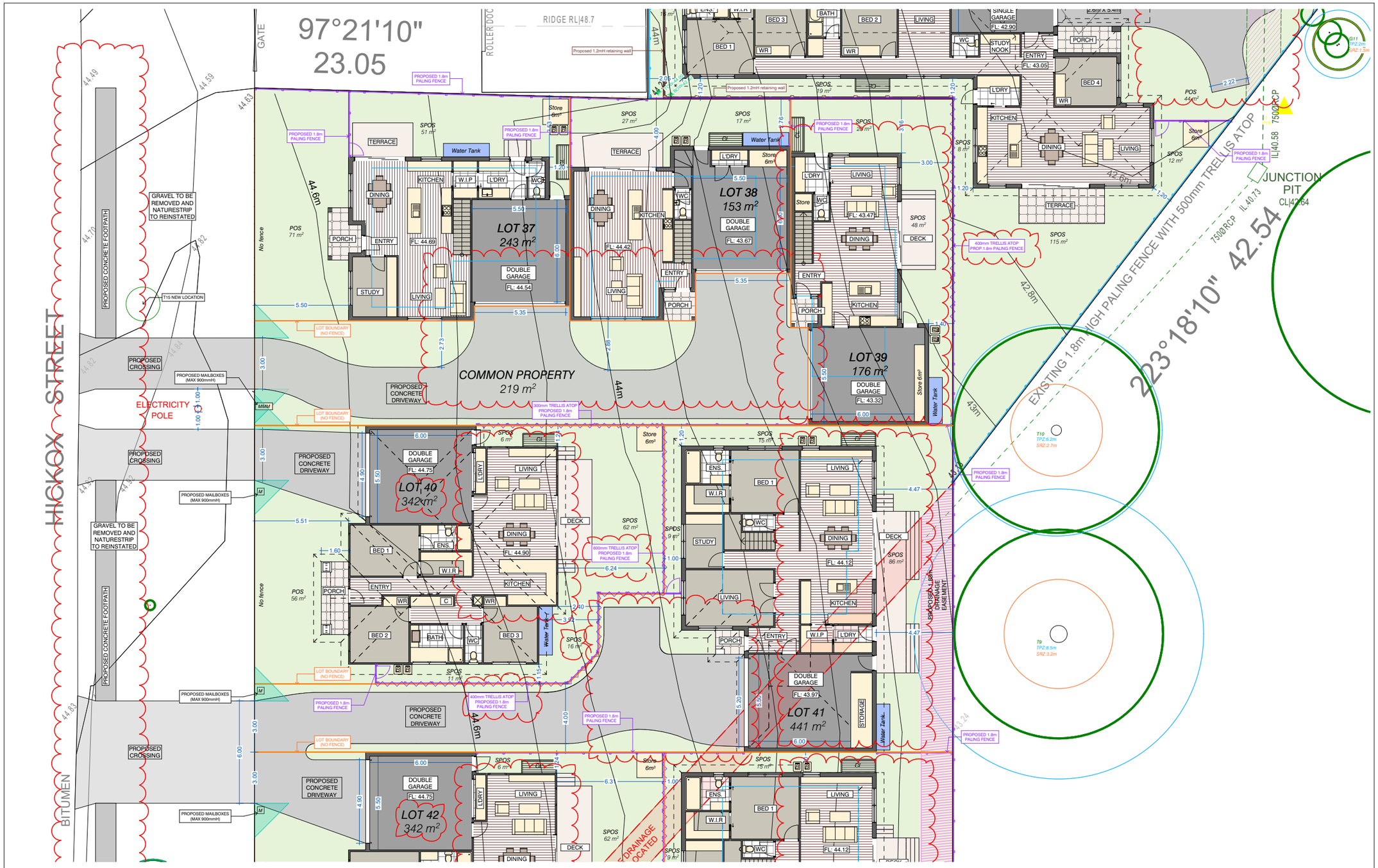

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03	Amendments made as requested by council	TF		Work in Progress
02	Amendments made as requested by council	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

Work in Progress

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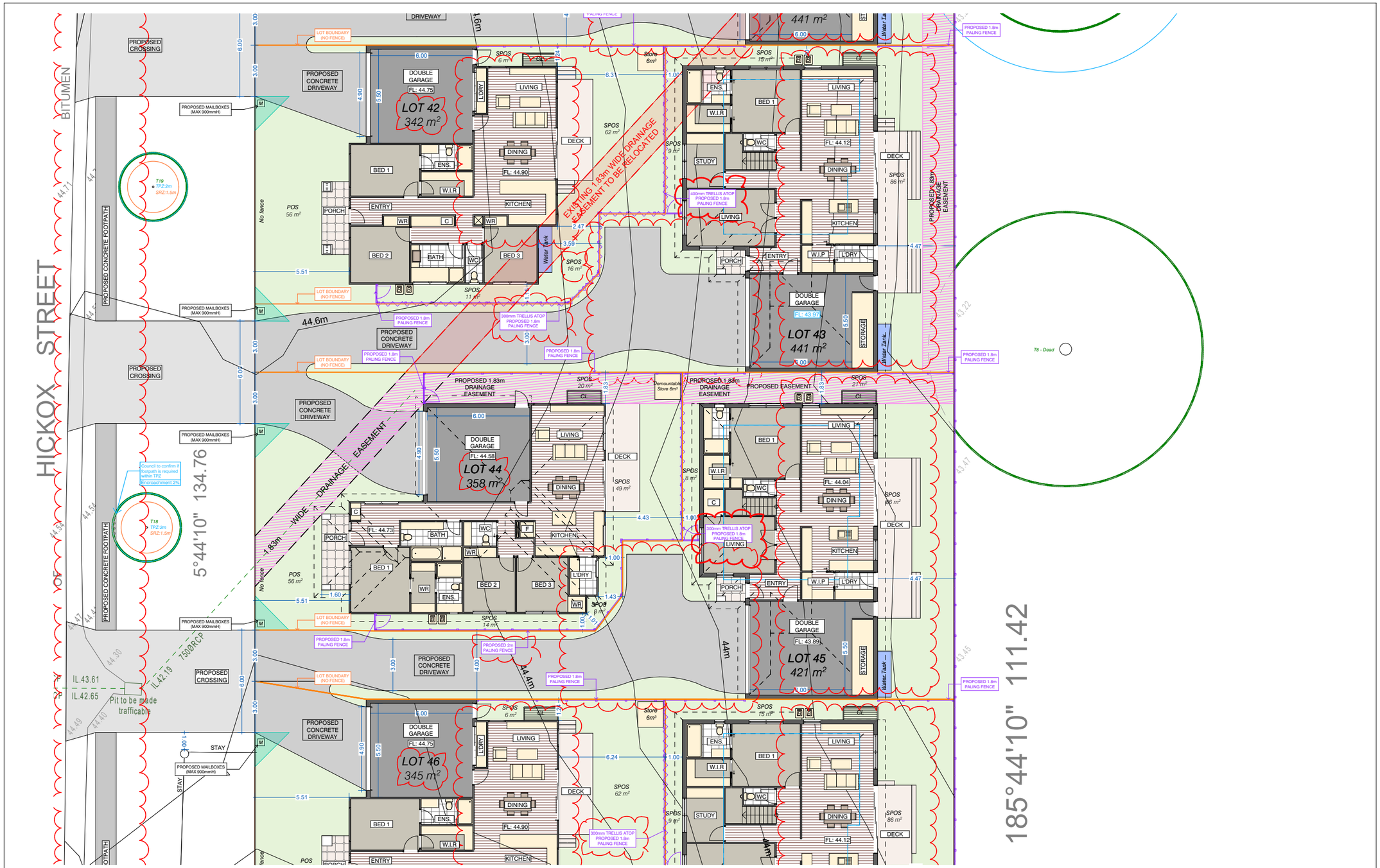
GROUND FLOOR - DWELLINGS 37-41
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P10
Version 03

Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023



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GROUND FLOOR - DWELLINGS 42-45
PROPOSED DEVELOPMENT
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Latrobe City Council
27567 P11
Version 03

Document Set ID: 2363524
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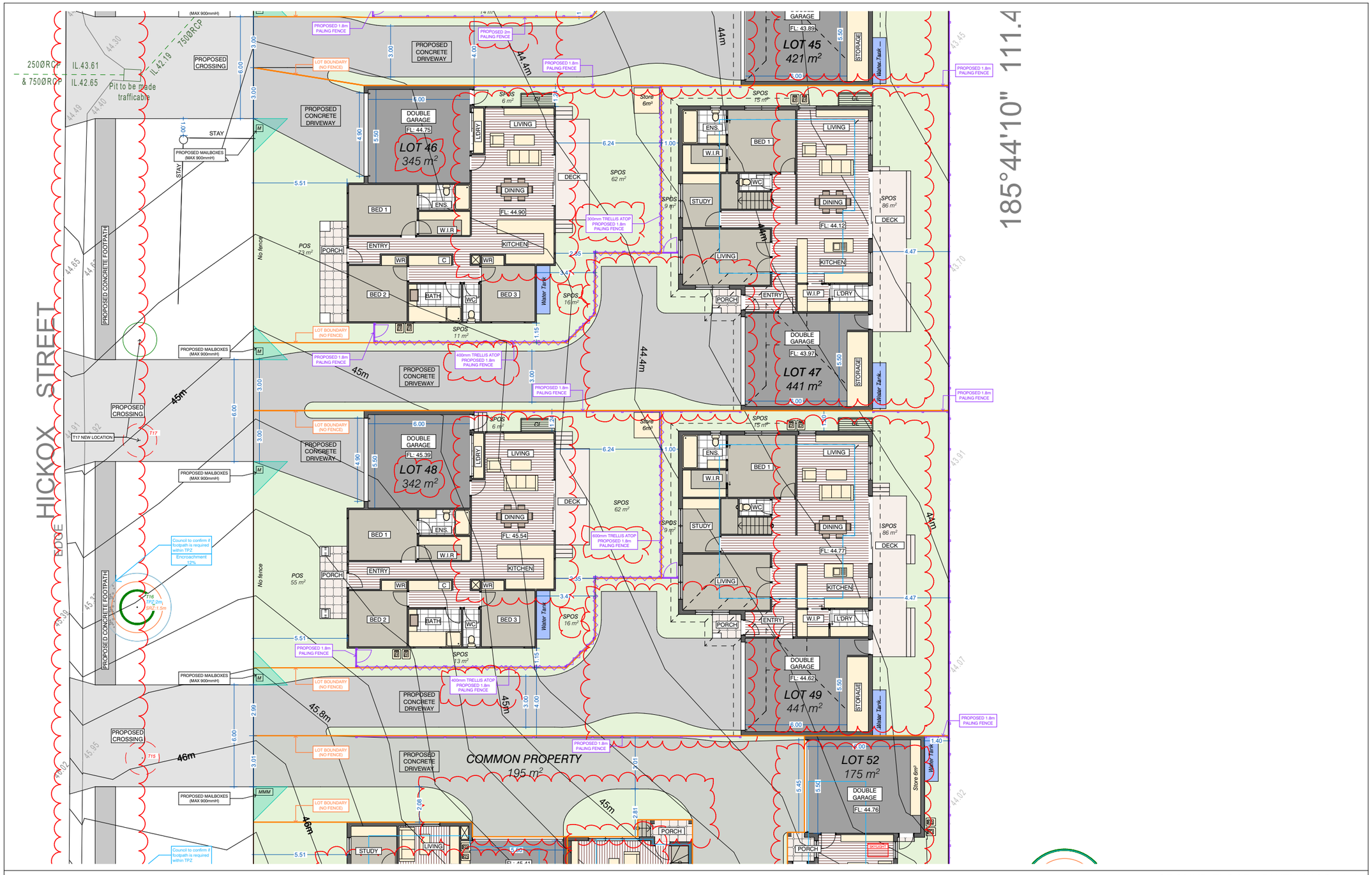

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GROUND FLOOR - DWELLINGS 46-49
PROPOSED DEVELOPMENT
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Latrobe City Council
27567 P12
Version 03

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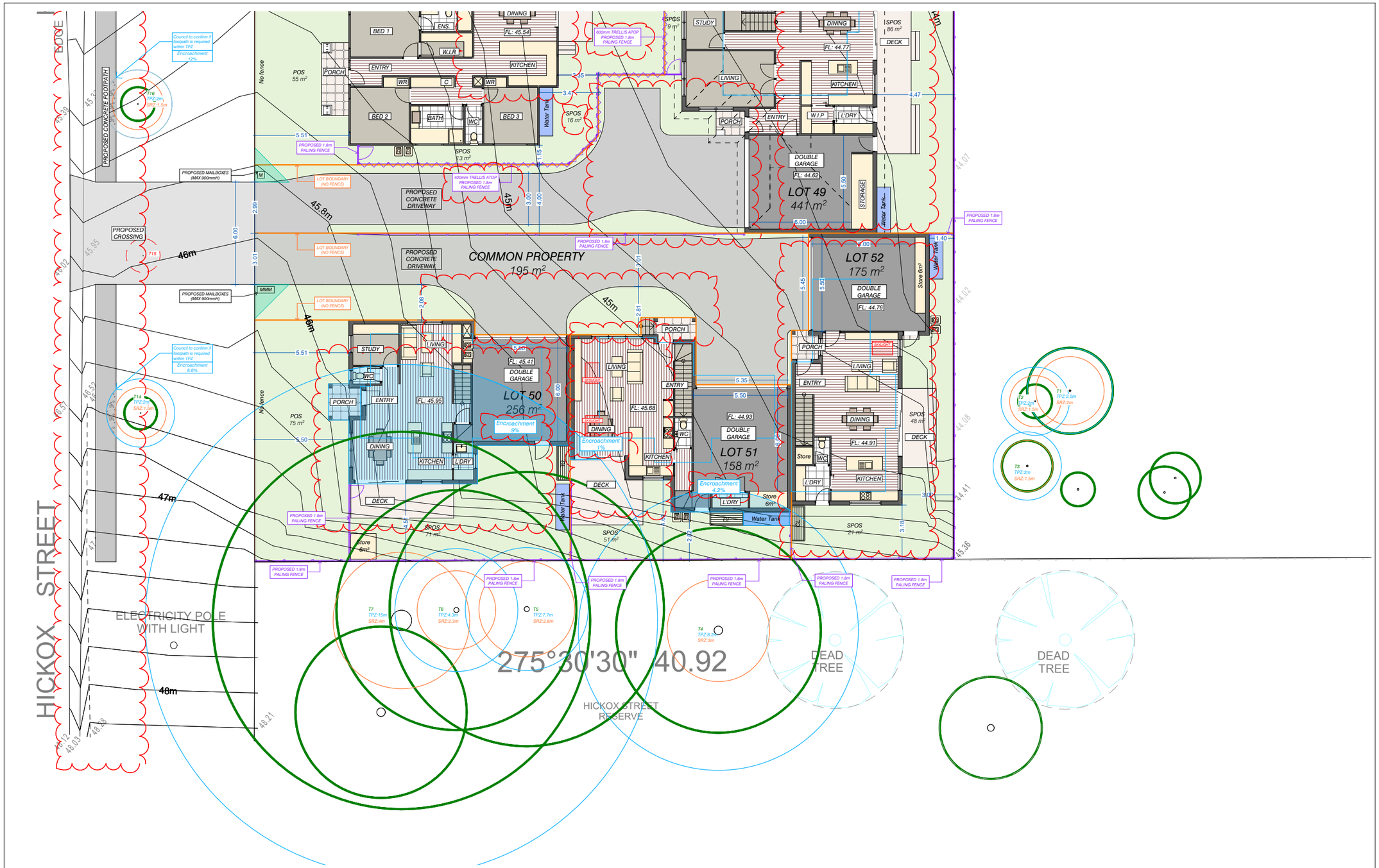

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GROUND FLOOR - DWELLINGS 50-52
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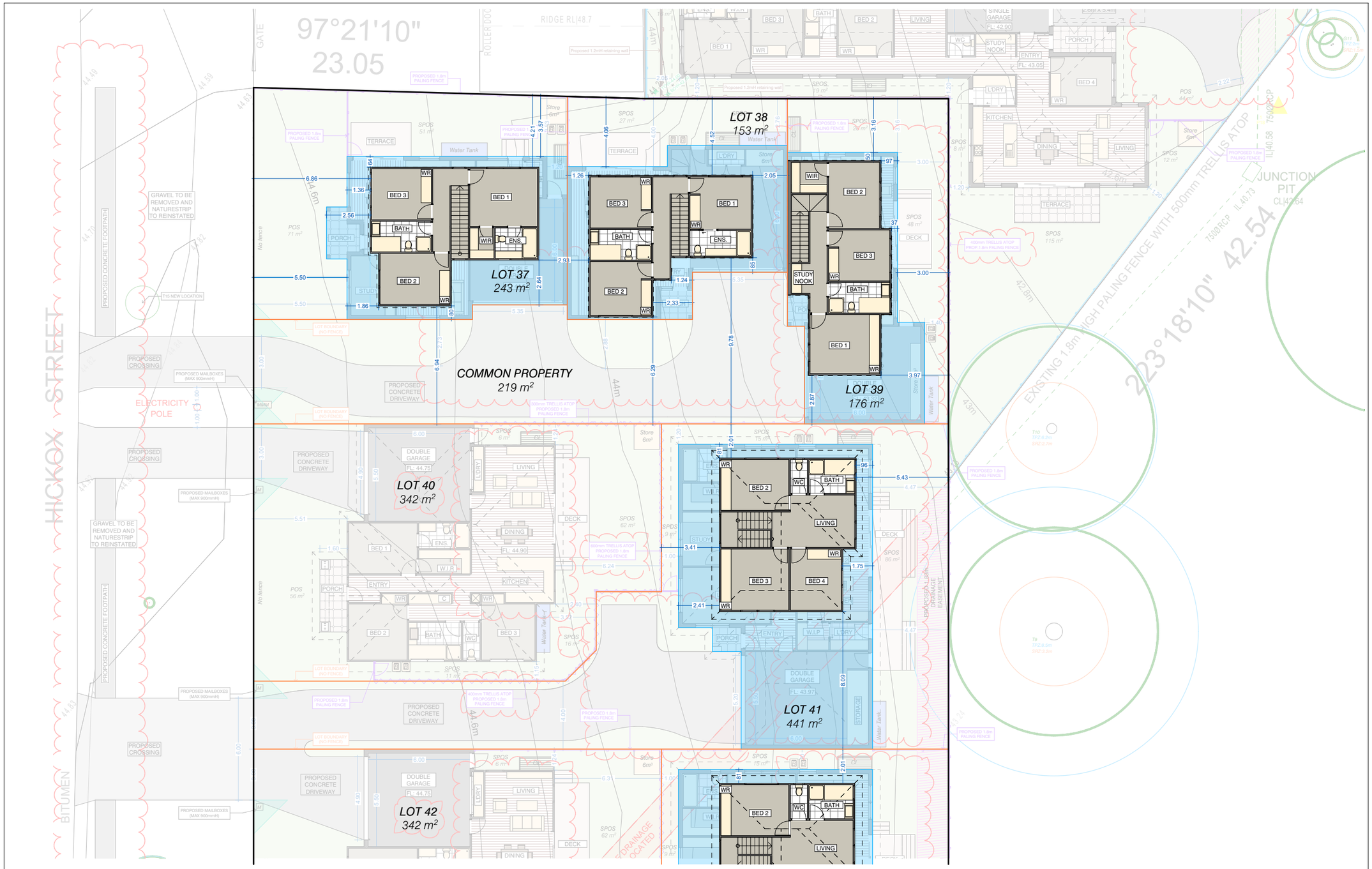

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UPPER LEVEL LAYOUT - DWELLINGS 37-41
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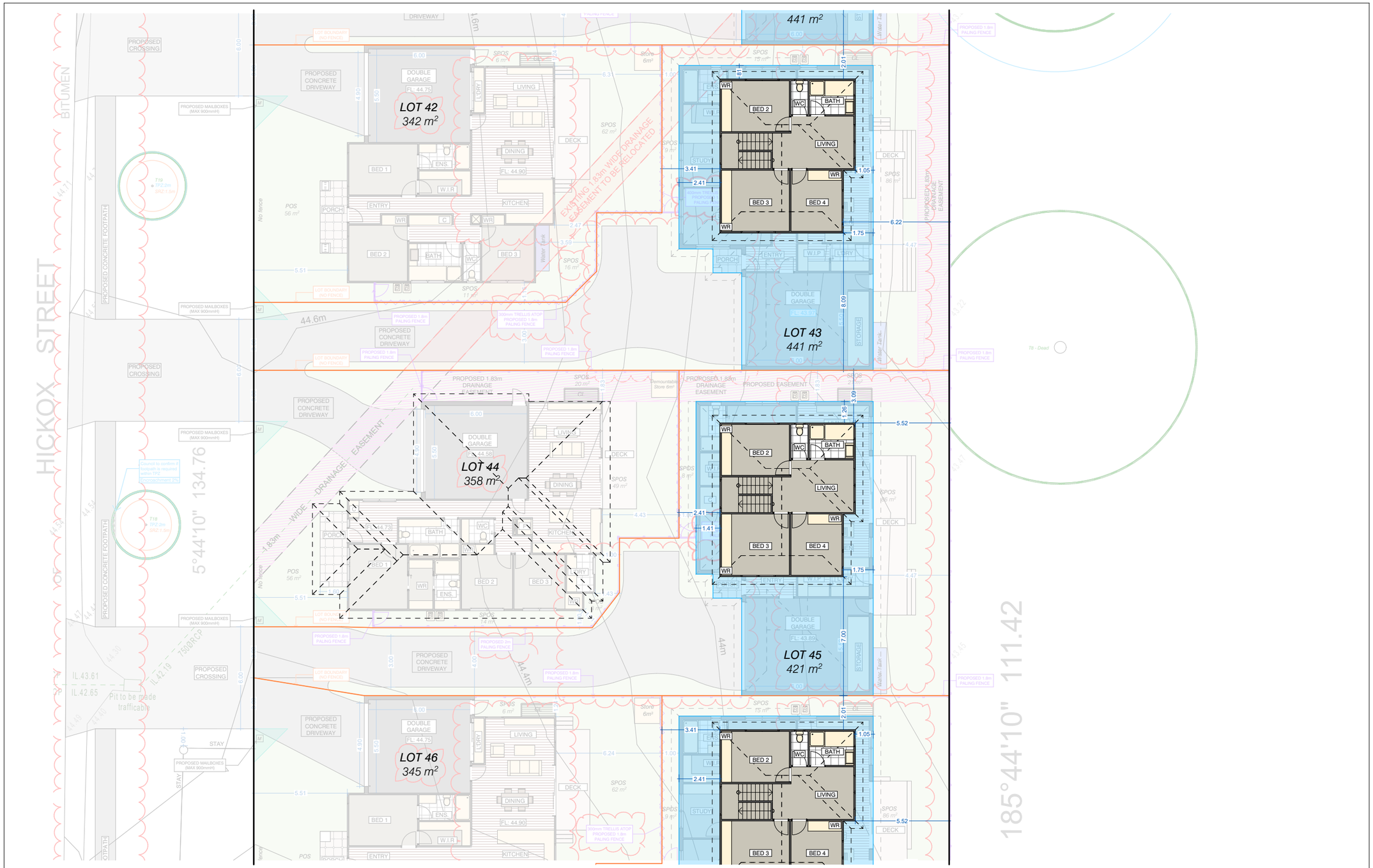

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UPPER LEVEL LAYOUT - DWELLINGS 42-45

PROPOSED DEVELOPMENT

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27567 P15
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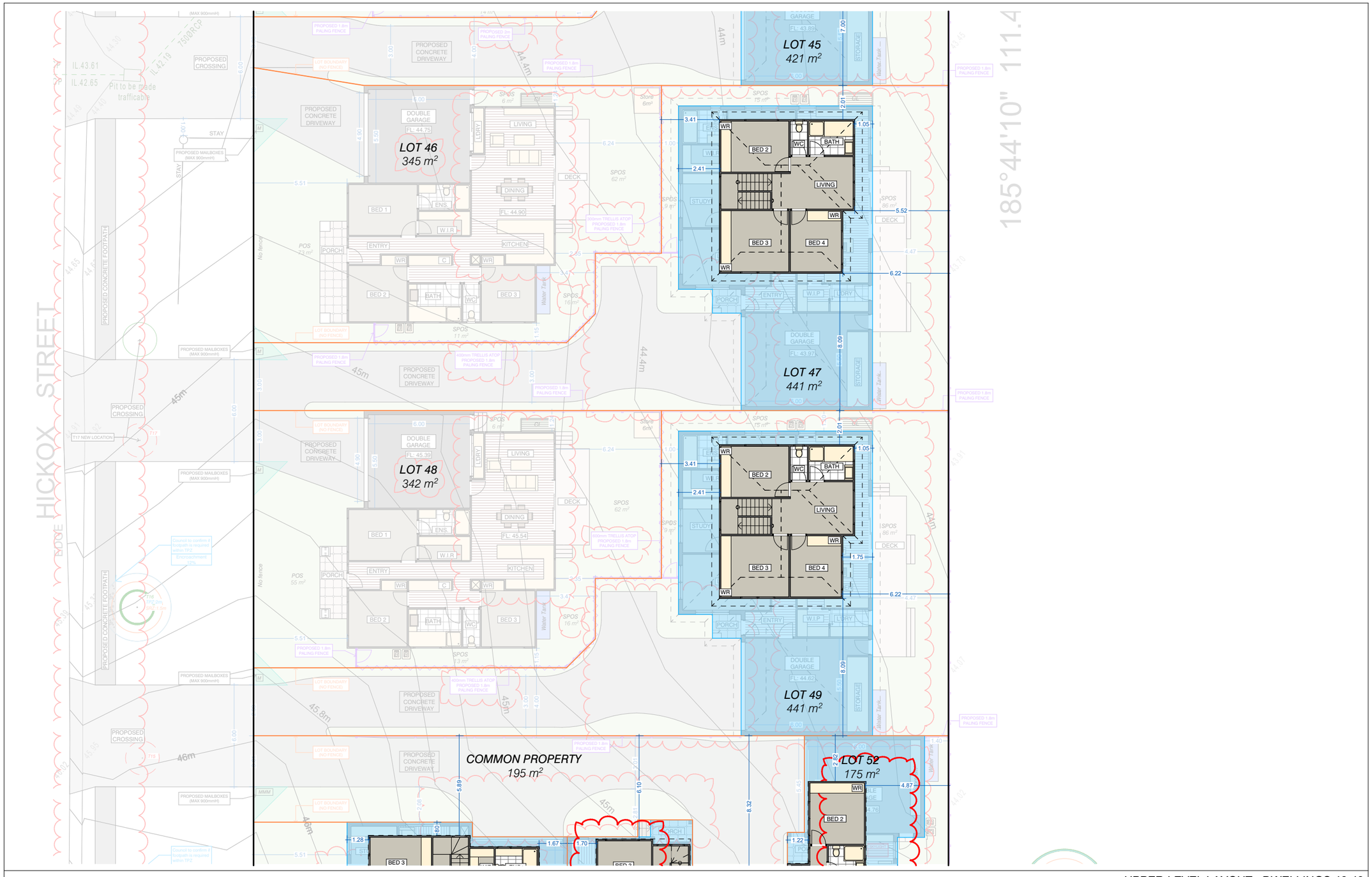

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UPPER LEVEL LAYOUT - DWELLINGS 46-49
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27567 P16
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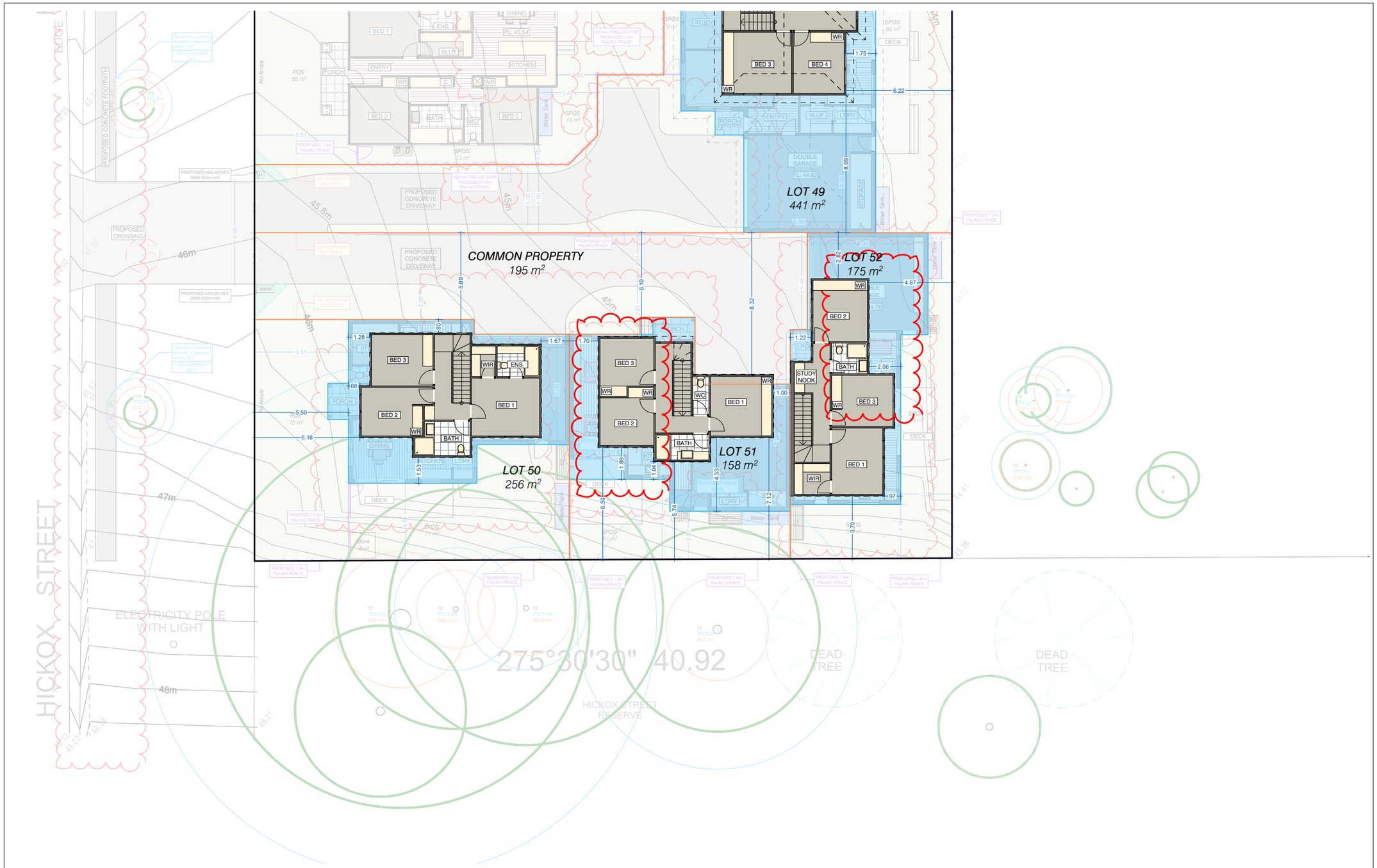

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UPPER LEVEL LAYOUT - DWELLINGS 50-52
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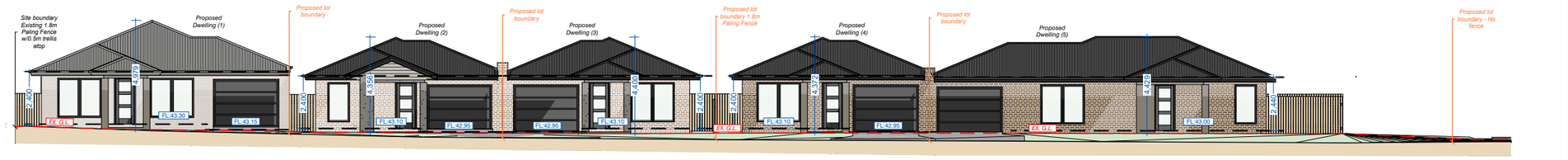
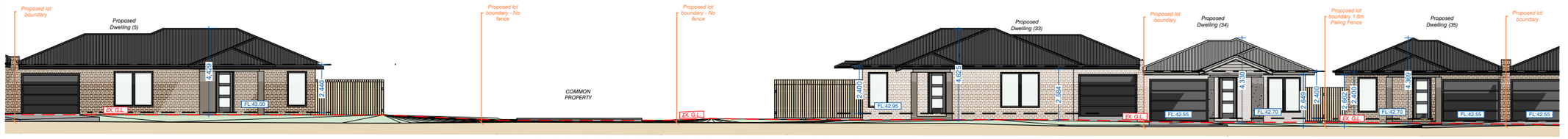
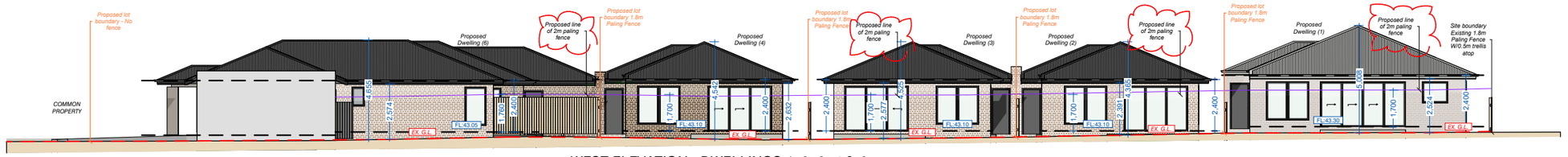


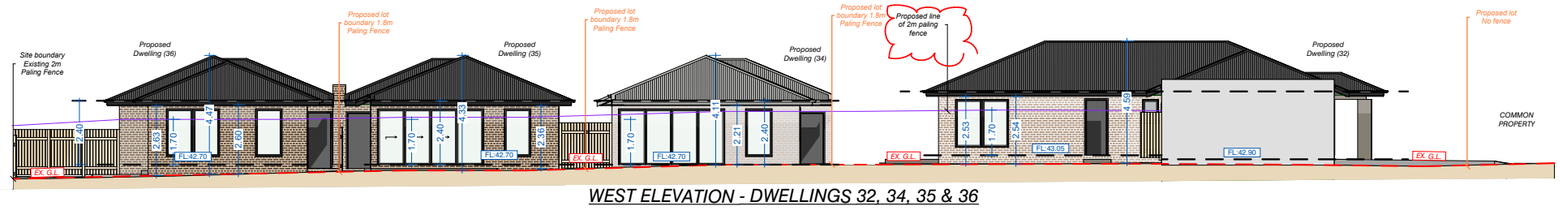
DUNBAR ROAD STREETSCAPE (EAST) ELEVATION - DWELLINGS 1, 2, 3, 4 & 5



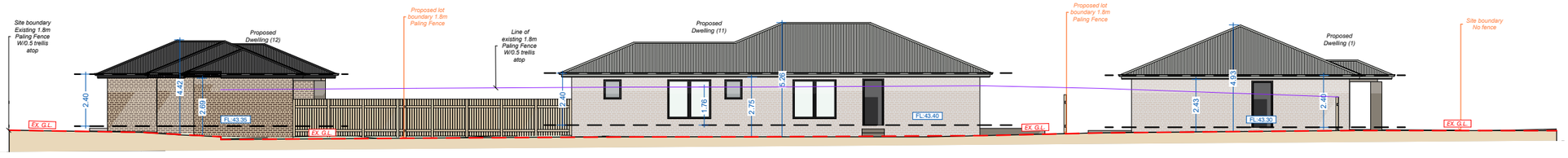
DUNBAR ROAD STREETSCAPE (EAST) ELEVATION - DWELLINGS 33, 34, 35 & 36



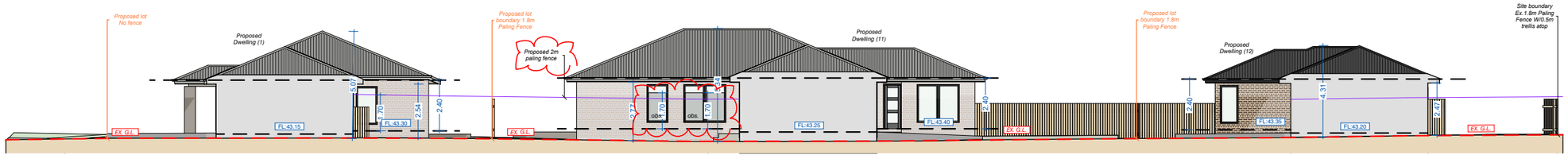
WEST ELEVATION - DWELLINGS 1, 2, 3, 4 & 6



WEST ELEVATION - DWELLINGS 32, 34, 35 & 36



SOUTH ELEVATION - DWELLINGS 1, 11 & 12



NORTH ELEVATION - DWELLINGS 1, 11 & 12

Notes:
- All roof pitches are shown at 22.5°
- All internal paling fences are 1.8mH

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BUILDING ELEVATIONS - SHEET 1 OF 13
PROPOSED DEVELOPMENT
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Latrobe City Council
27567 P18
Version 03

Document Set ID: 2363524
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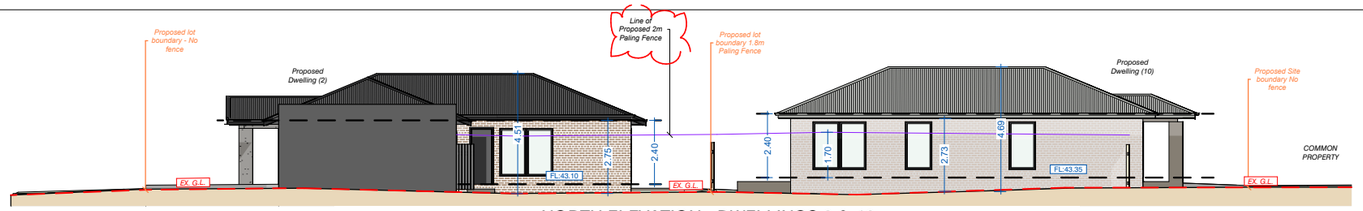
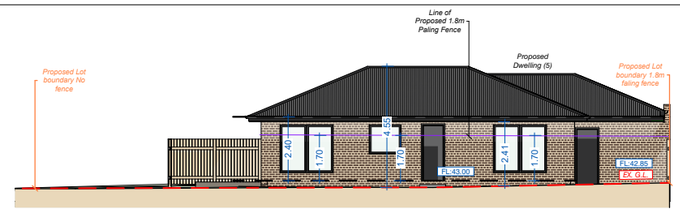
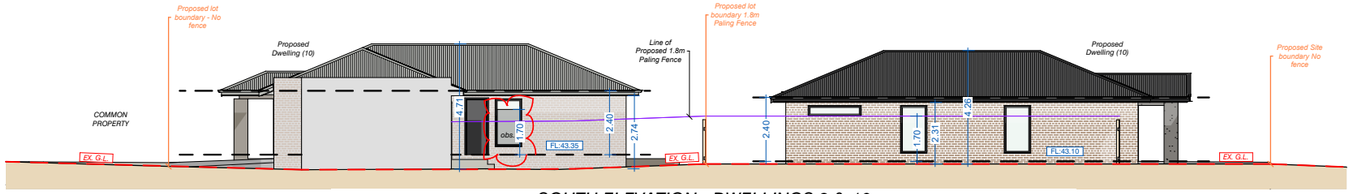


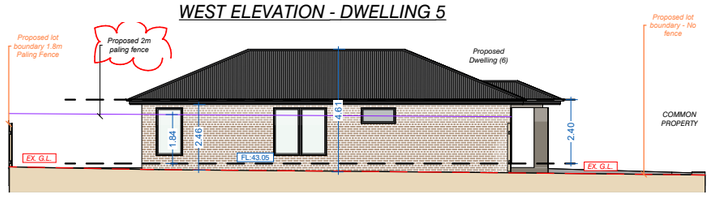
NORTH ELEVATION - DWELLINGS 2 & 10



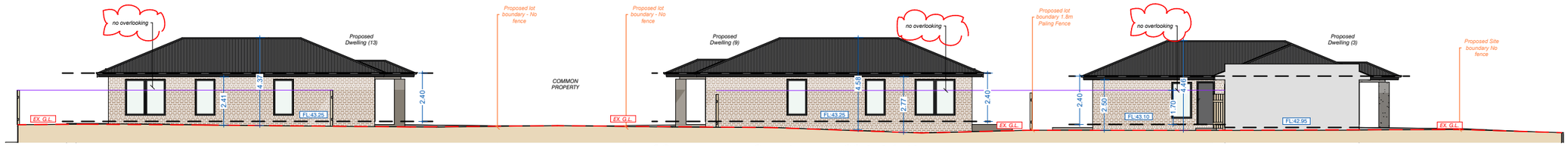
WEST ELEVATION - DWELLING 5



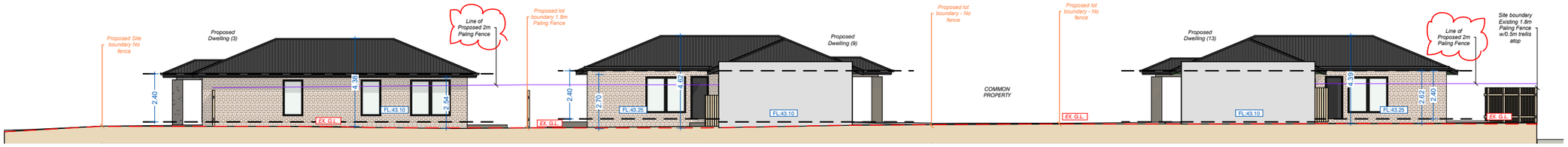
SOUTH ELEVATION - DWELLINGS 2 & 10



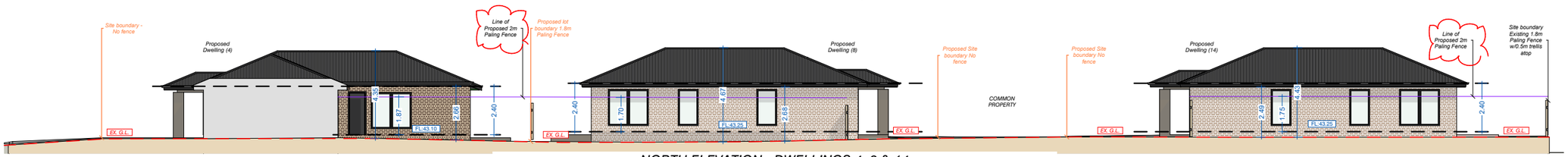
EAST ELEVATION - DWELLING 6



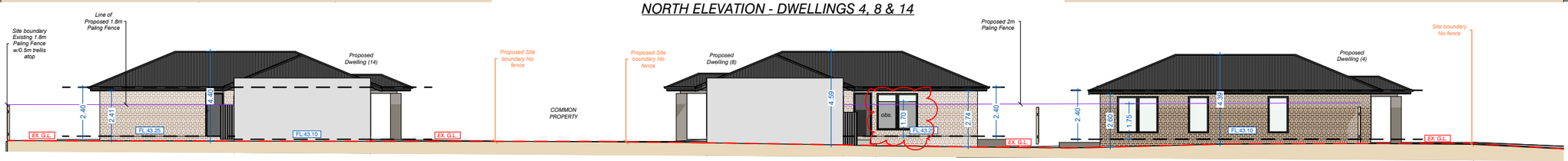
SOUTH ELEVATION - DWELLINGS 3, 9 & 13



NORTH ELEVATION - DWELLINGS 3, 9 & 13



NORTH ELEVATION - DWELLINGS 4, 8 & 14



SOUTH ELEVATION - DWELLINGS 4, 8 & 14

Notes:
- All roof pitches are shown at 22.5°
- All internal paling fences are 1.8mH

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BUILDING ELEVATIONS - SHEET 2 OF 13
PROPOSED DEVELOPMENT
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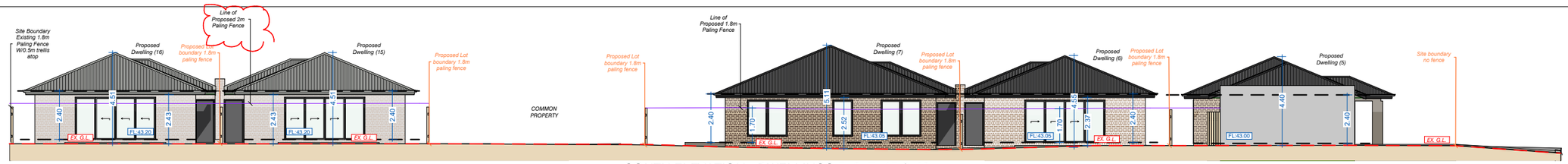
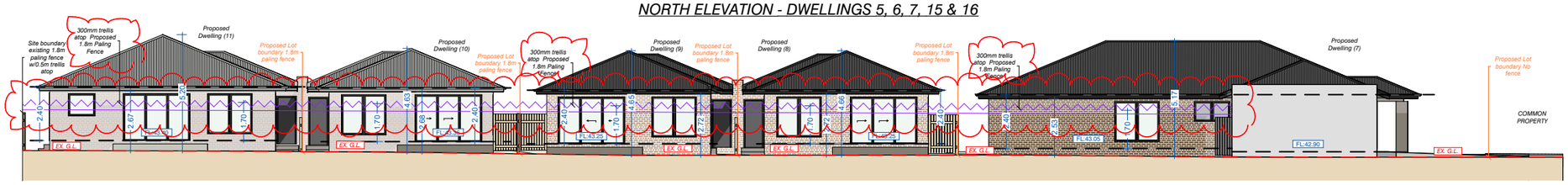
Latrobe City Council
27567 P18
Version 03

Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023

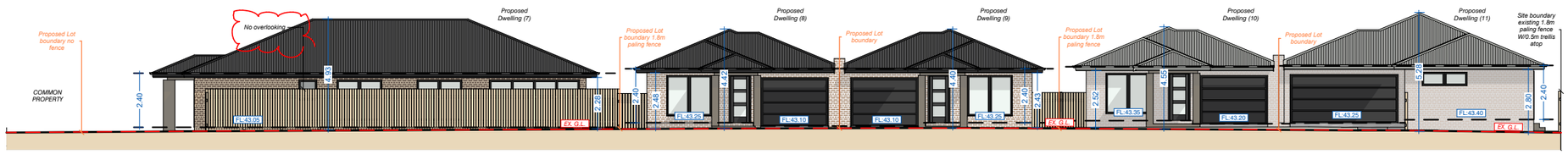


SOUTH ELEVATION - DWELLINGS 5, 6, 7, 15 & 16

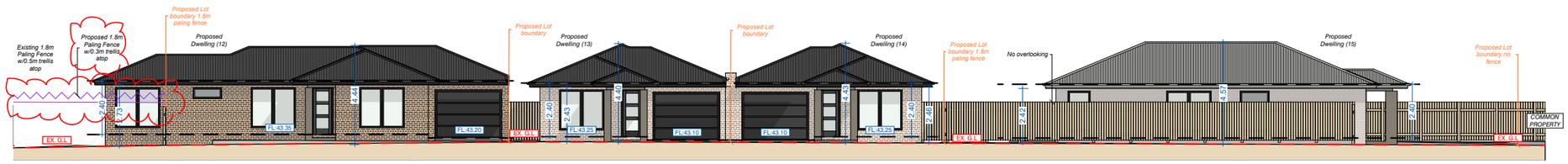
NORTH ELEVATION - DWELLINGS 5, 6, 7, 15 & 16



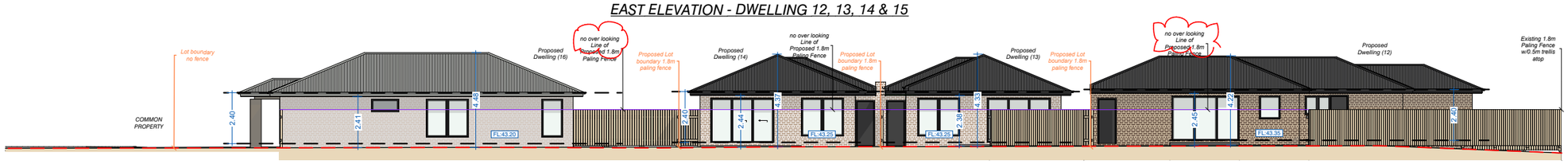
EAST ELEVATION - DWELLINGS 7, 8, 9, 10 & 11



WEST ELEVATION - DWELLINGS 7, 8, 9, 10 & 11



EAST ELEVATION - DWELLING 12, 13, 14 & 15



WEST ELEVATION - DWELLING 12, 13, 14 & 16

Notes:
- All roof pitches are shown at 22.5°
- All internal paling fences are 1.8mH

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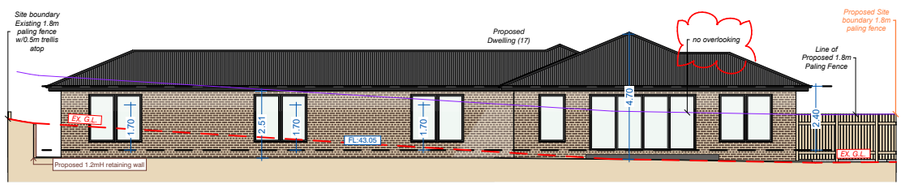
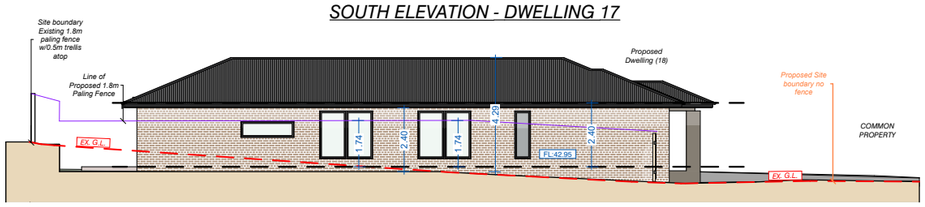
BUILDING ELEVATIONS - SHEET 3 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P18
Version 03

Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023



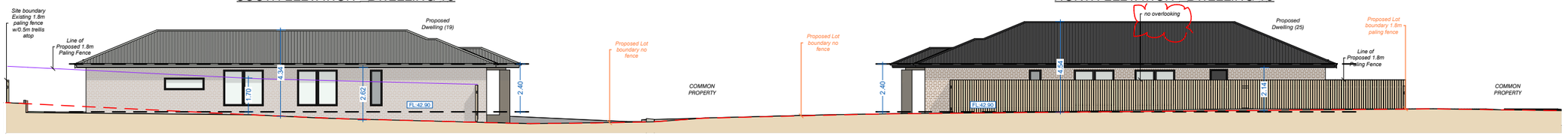
SOUTH ELEVATION - DWELLING 17

NORTH ELEVATION - DWELLING 17

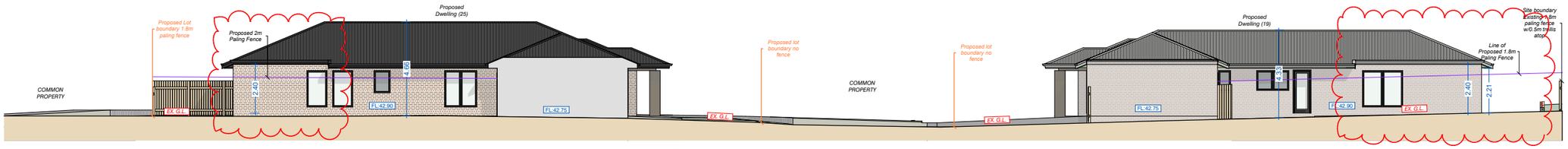


SOUTH ELEVATION - DWELLING 18

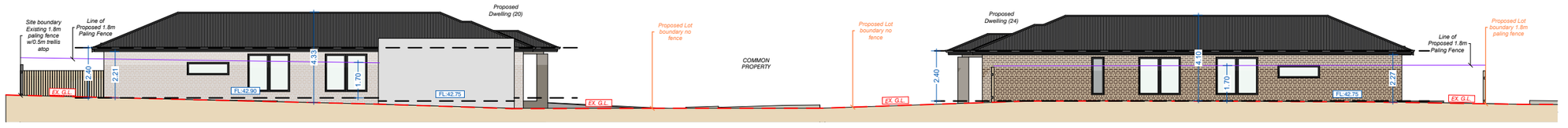
NORTH ELEVATION - DWELLING 18



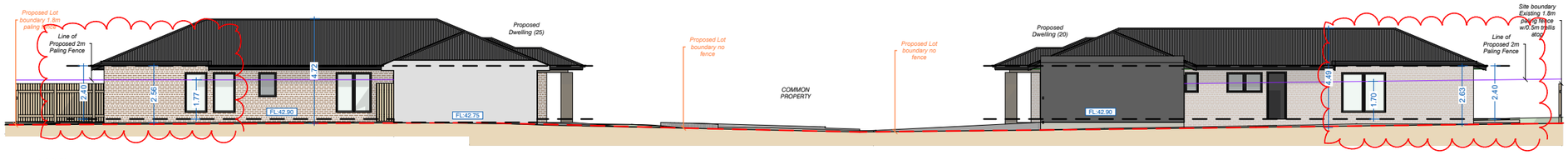
SOUTH ELEVATION - DWELLINGS 19 & 25



NORTH ELEVATION - DWELLINGS 19 & 25



SOUTH ELEVATION - DWELLINGS 20 & 24



NORTH ELEVATION - DWELLINGS 20 & 24

Notes:
- All roof pitches are shown at 22.5°
- All internal paling fences are 1.8mH

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Version	Description	Drafted	Checked	Issue Date
03	Amendments made as requested by council	TF		Work in Progress
02	Amendments made as requested by council	TF	SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

Work in Progress

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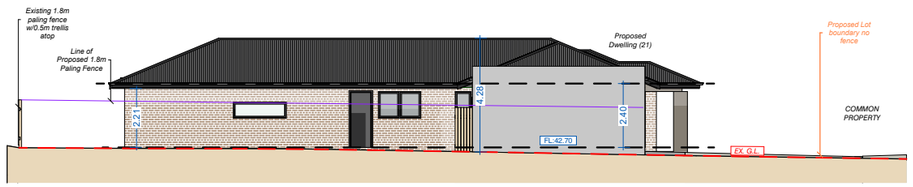
BUILDING ELEVATIONS - SHEET 4 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council
27567 P18
Version 03

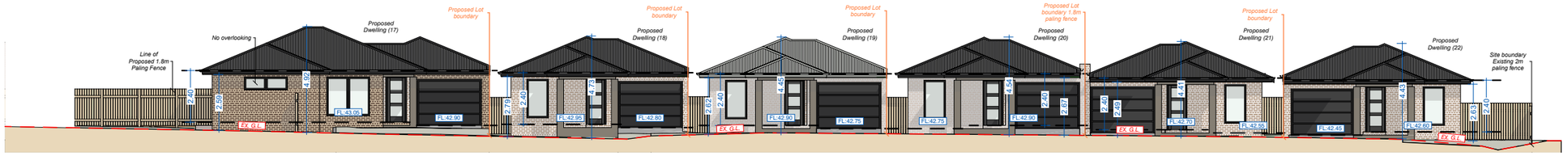
Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023



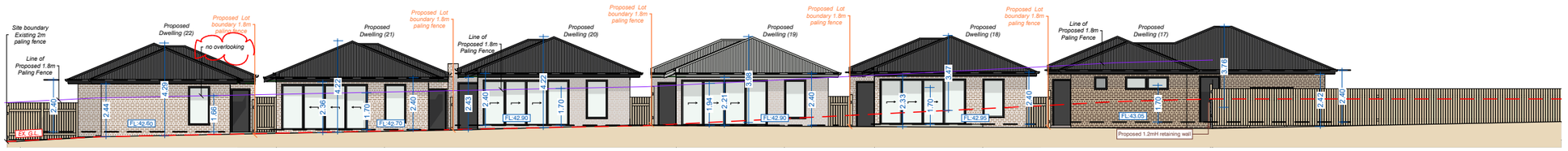
NORTH ELEVATION - DWELLINGS 21

SOUTH ELEVATION - DWELLING 21

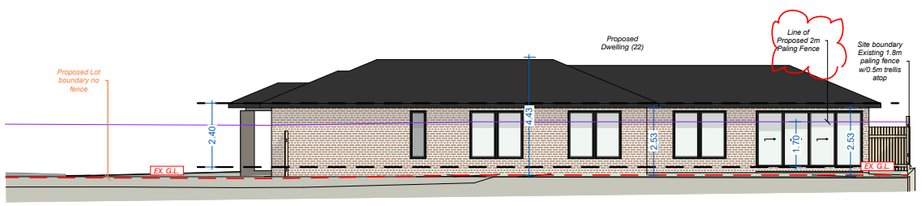
SOUTH ELEVATION - DWELLINGS 22 & 23



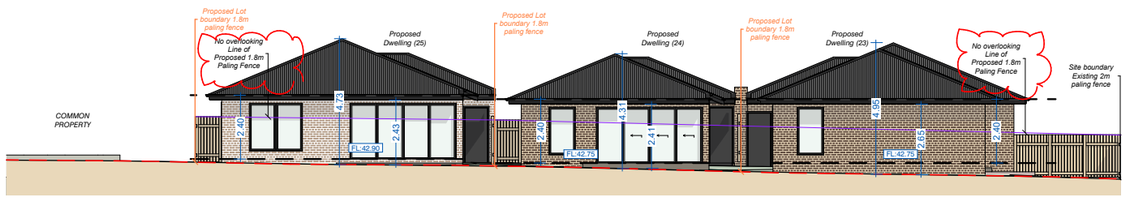
EAST ELEVATION - DWELLING 17, 18, 19, 20, 21 & 22



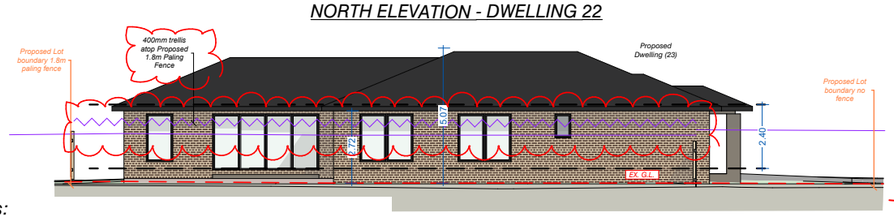
WEST ELEVATION - DWELLING 17, 18, 19, 20, 21 & 22



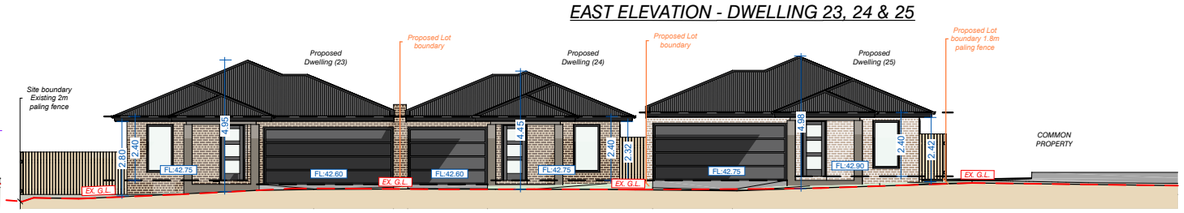
NORTH ELEVATION - DWELLING 22



EAST ELEVATION - DWELLING 23, 24 & 25



NORTH ELEVATION - DWELLING 23



WEST ELEVATION - DWELLING 23, 24 & 25

Notes:
- All roof pitches are shown at 22.5°
- All internal paling fences are 1.8mH

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03	Amendments made as requested by council	TF		Work in Progress
02	Amendments made as requested by council		SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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BUILDING ELEVATIONS - SHEET 5 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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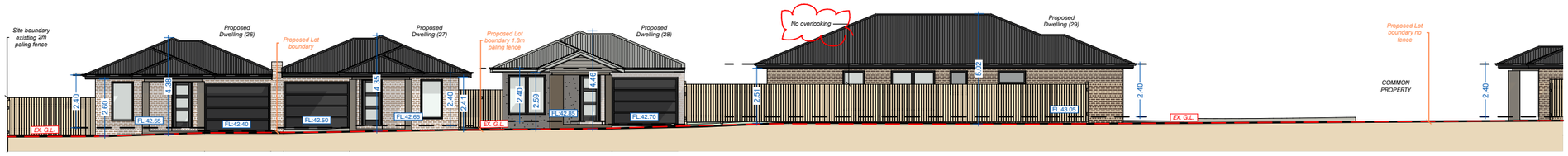
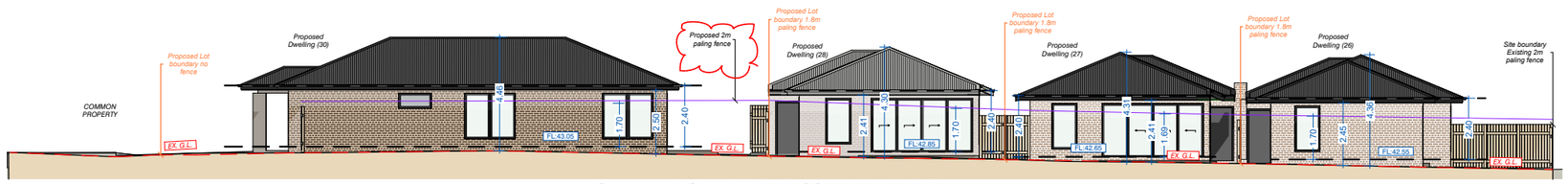
27567 P18
Version 03

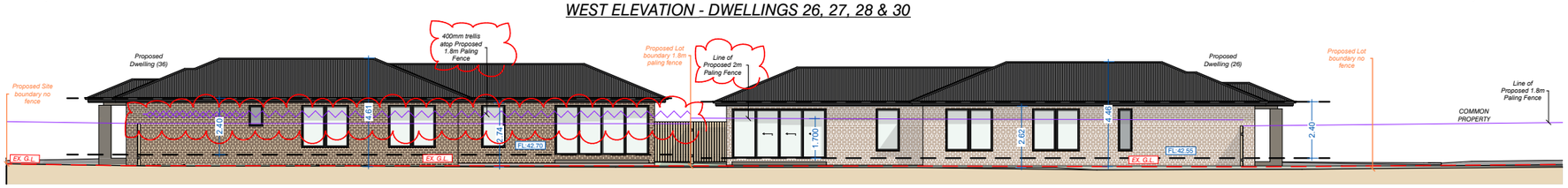
Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023



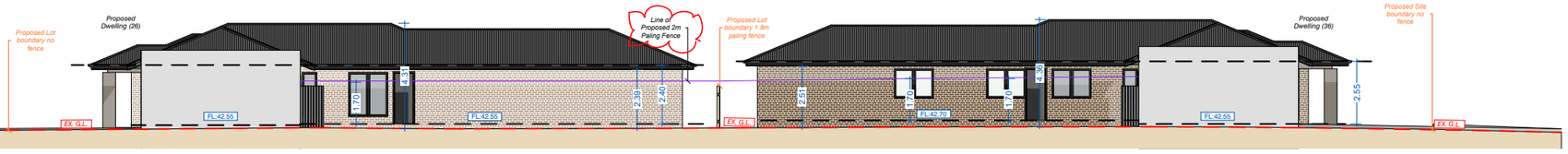
WEST ELEVATION - DWELLINGS 26, 27, 28 & 29



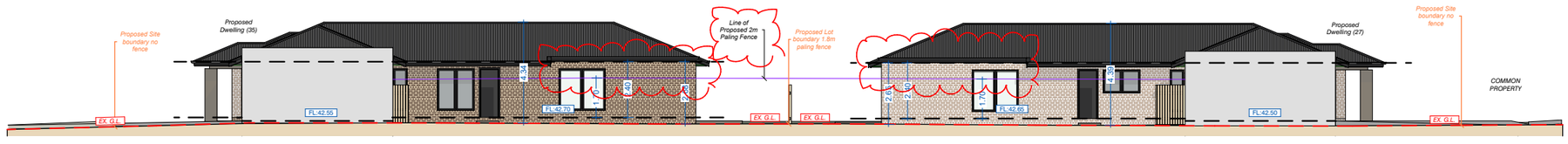
WEST ELEVATION - DWELLINGS 26, 27, 28 & 30



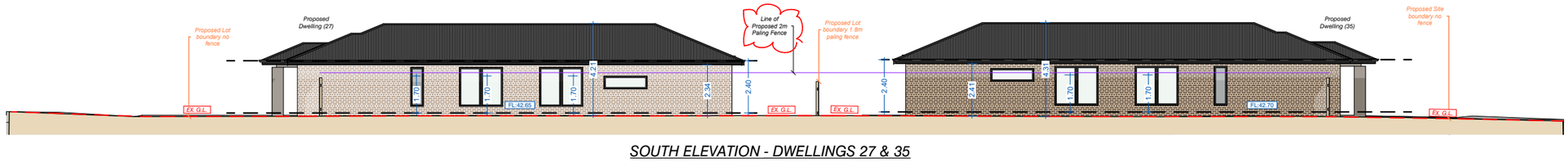
NORTH ELEVATION - DWELLINGS 26 & 36



SOUTH ELEVATION - DWELLINGS 26 & 36



NORTH ELEVATION - DWELLINGS 27 & 35



SOUTH ELEVATION - DWELLINGS 27 & 35

Notes:
- All roof pitches are shown at 22.5°

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03	Amendments made as requested by council	TF		Work in Progress
02	Amendments made as requested by council		SC	JAN 23
01	Prepared for planning purposes		MB	AUG 22

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PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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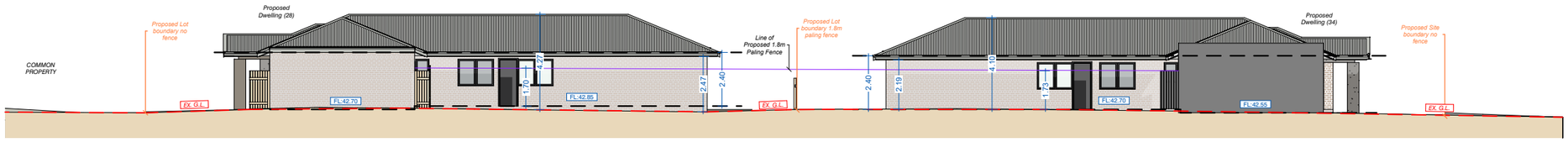
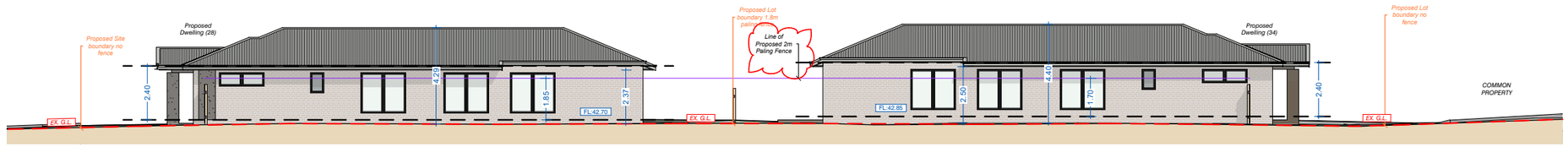
Latrobe City Council
27567 P18
Version 03

Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023



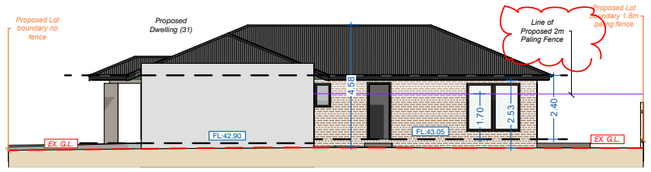
SOUTH ELEVATION - DWELLINGS 28 & 34



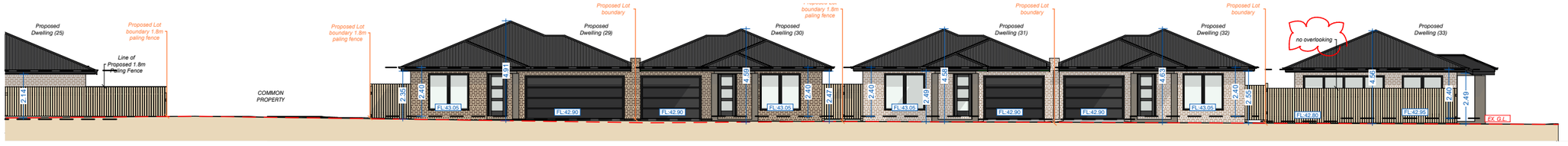
NORTH ELEVATION - DWELLINGS 28 & 34

EAST ELEVATION - DWELLING 29

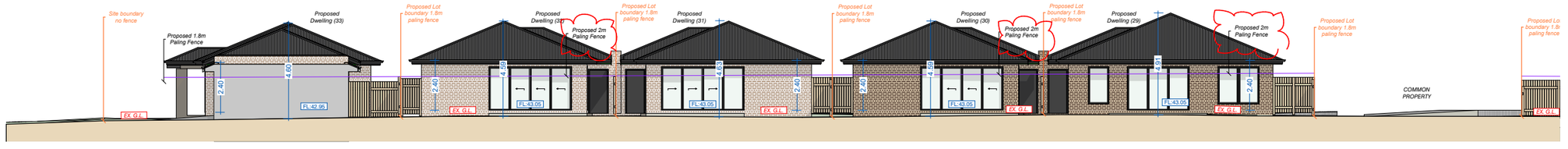
WEST ELEVATION - DWELLING 30



EAST ELEVATION - DWELLING 31



SOUTH ELEVATION - DWELLINGS 29, 30, 31, 32 & 33



NORTH ELEVATION - DWELLINGS 29, 30, 31, 32 & 33

Notes:
- All roof pitches are shown at 22.5°

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03	Amendments made as requested by council	TF		Work in Progress
02	Amendments made as requested by council		SC	JAN 23
01	Prepared for planning purposes	TF	MB	AUG 22

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BUILDING ELEVATIONS - SHEET 7 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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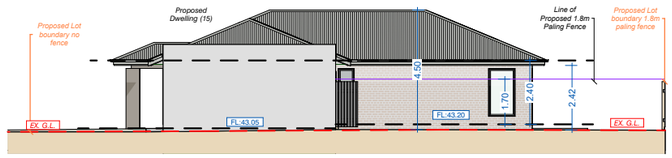
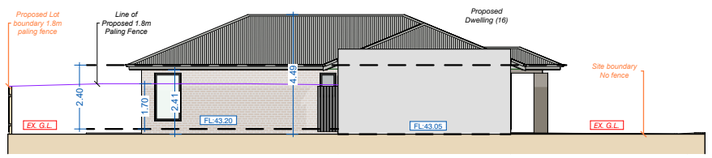
27567 P18
Version 03

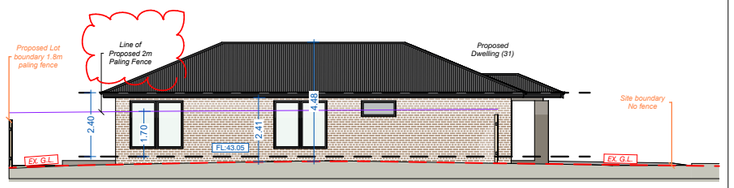
Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023



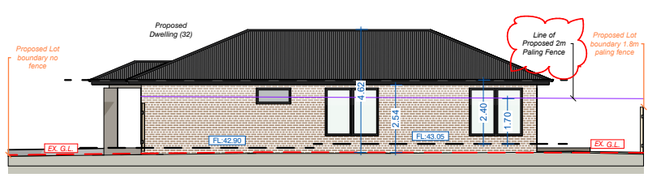
WEST ELEVATION - DWELLING 15



EAST ELEVATION - DWELLING 16



WEST ELEVATION - DWELLING 31



EAST ELEVATION - DWELLING 32

WEST ELEVATION - DWELLING 33

Notes:
- All roof pitches are shown at 22.5°

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03	Amendments made as requested by council	TF		Work in Progress
02	Amendments made as requested by council		SC	JAN 23
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BUILDING ELEVATIONS - SHEET 8 OF 13
PROPOSED DEVELOPMENT
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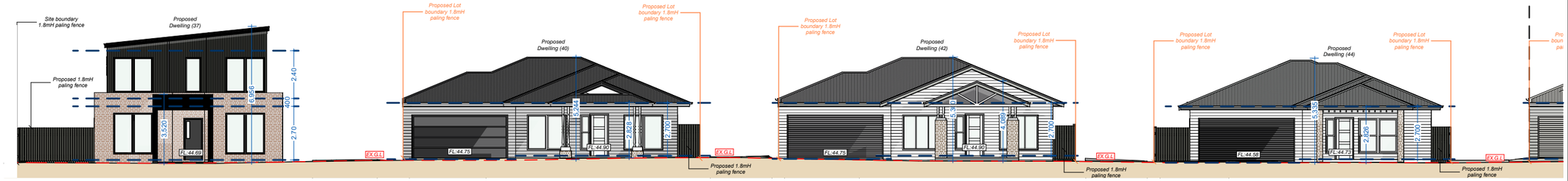
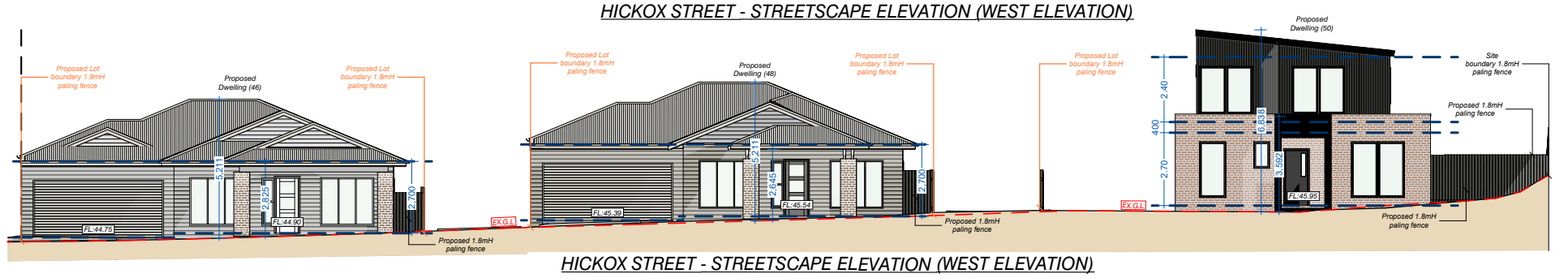
Latrobe City Council
27567 P18
Version 03

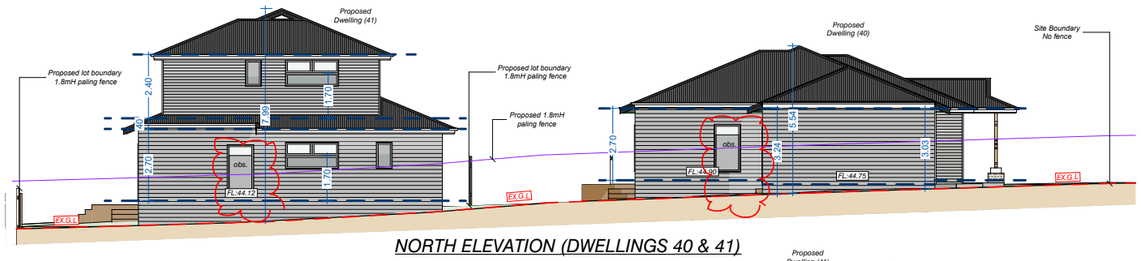
Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023



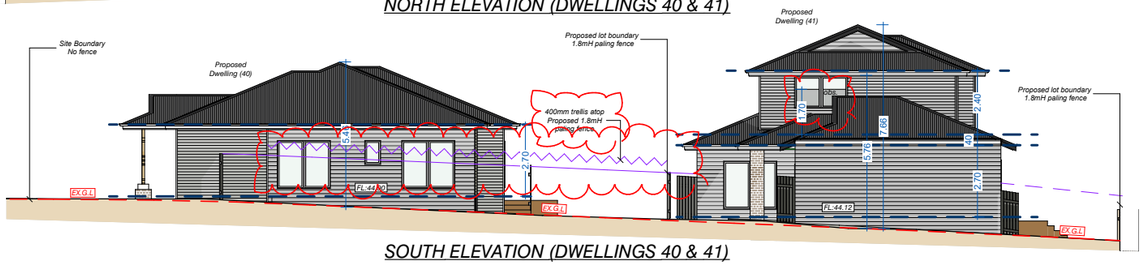
HICKOX STREET - STREETSCAPE ELEVATION (WEST ELEVATION)



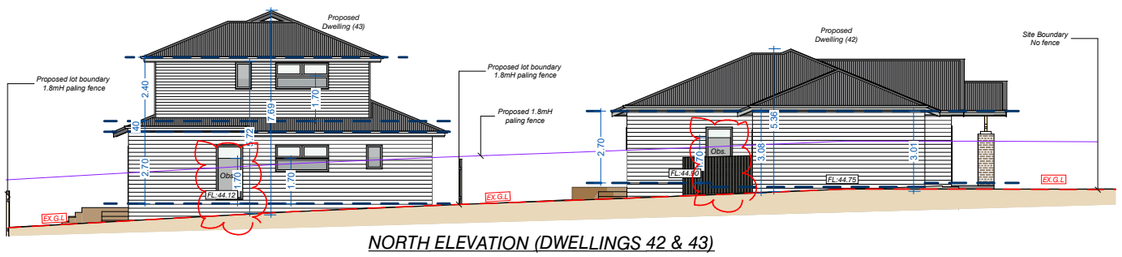
HICKOX STREET - STREETSCAPE ELEVATION (WEST ELEVATION)



NORTH ELEVATION (DWELLINGS 40 & 41)



SOUTH ELEVATION (DWELLINGS 40 & 41)



NORTH ELEVATION (DWELLINGS 42 & 43)

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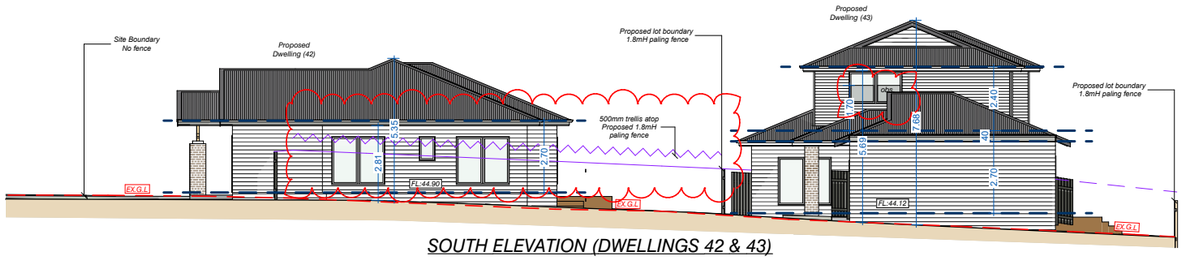
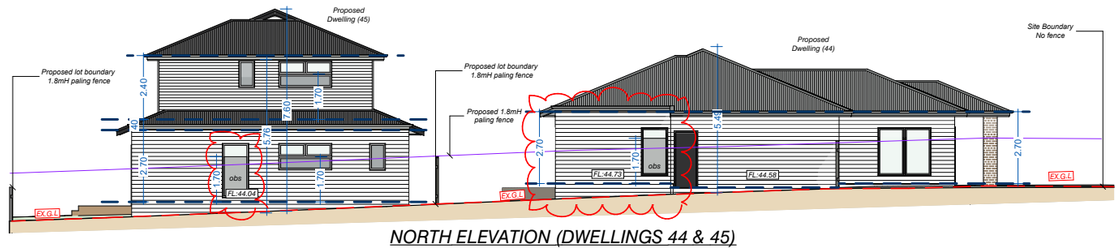
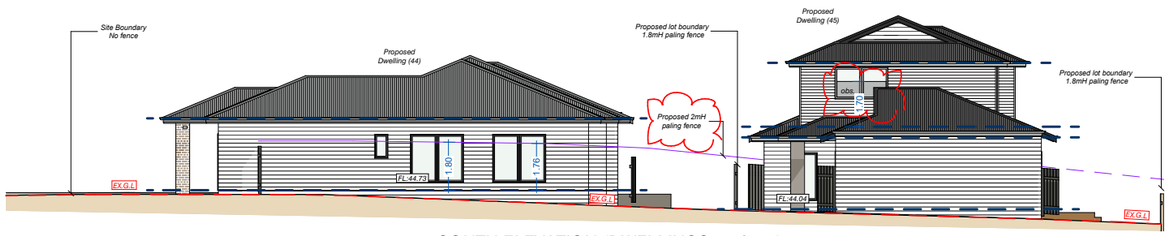


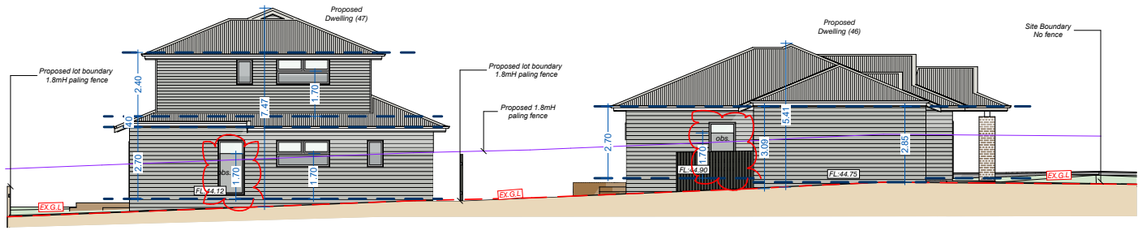
SOUTH ELEVATION (DWELLINGS 42 & 43)

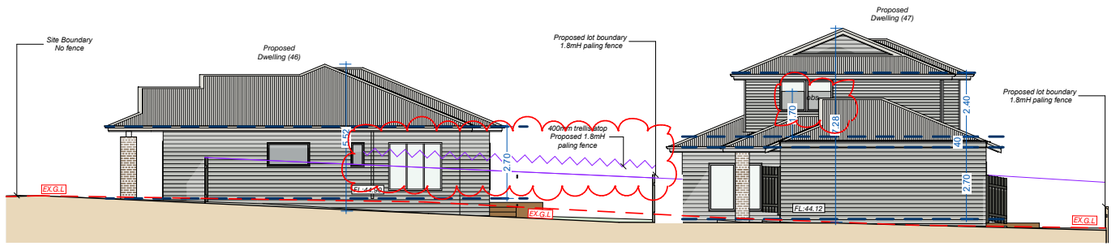


NORTH ELEVATION (DWELLINGS 44 & 45)



SOUTH ELEVATION (DWELLINGS 44 & 45)





SOUTH ELEVATION (DWELLINGS 46 & 47)

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01	Prepared for planning purposes		MB	AUG 22

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BUILDING ELEVATIONS - SHEET 10 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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Latrobe City Council
27567 P18
Version 03

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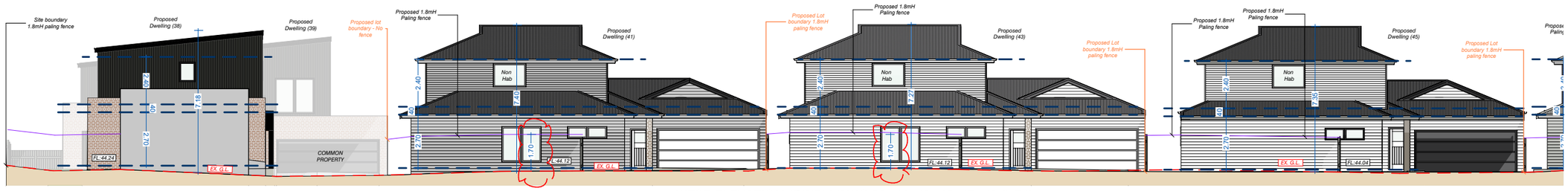
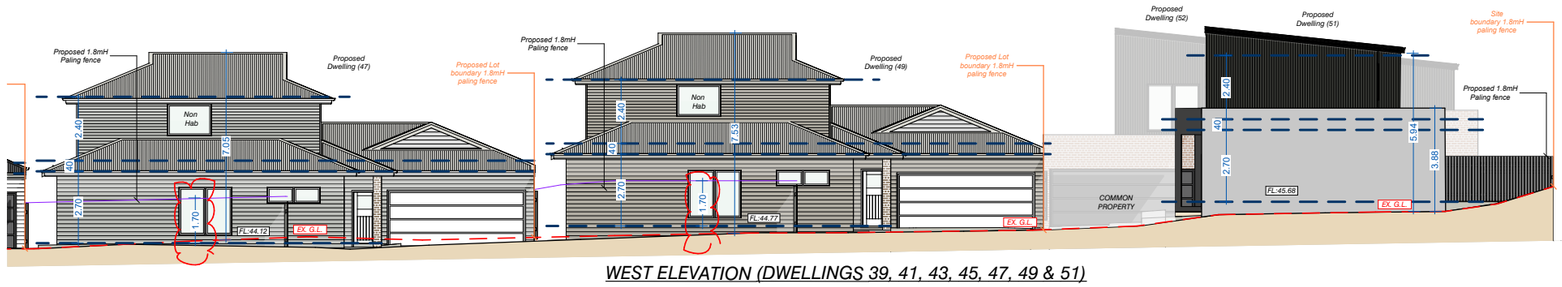
Version: 4, Version Date: 07/06/2023



WEST ELEVATION (DWELLINGS 39, 41, 43, 45, 47, 49 & 51)



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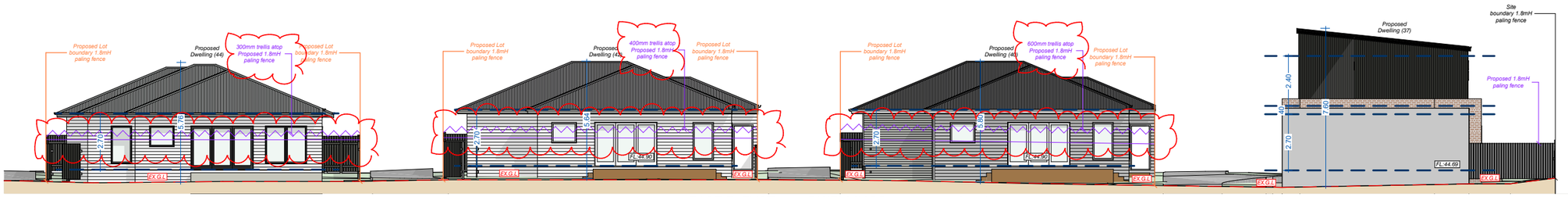
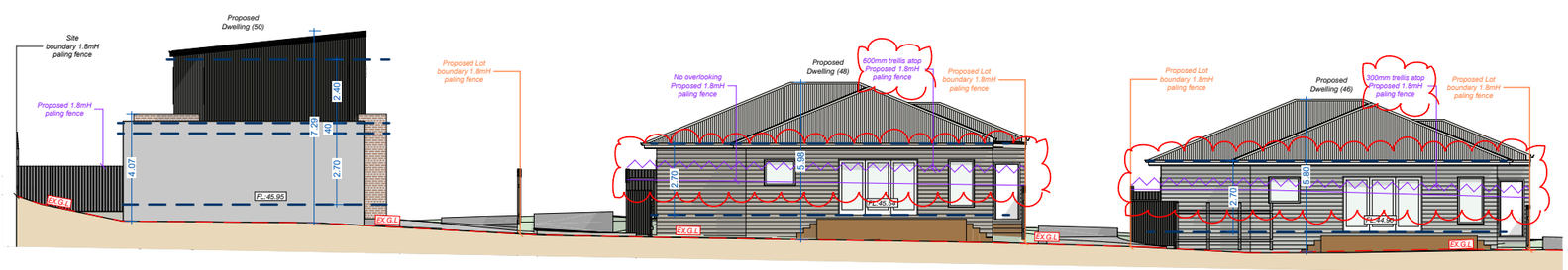


EAST ELEVATION (DWELLINGS 37, 40, 42 & 44)



EAST ELEVATION (DWELLINGS 46, 48 & 50)

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BUILDING ELEVATIONS - SHEET 11 OF 13
PROPOSED DEVELOPMENT

23 DUNBAR ROAD
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Latrobe City Council

27567 P18
Version 03

Document Set ID: 2363524
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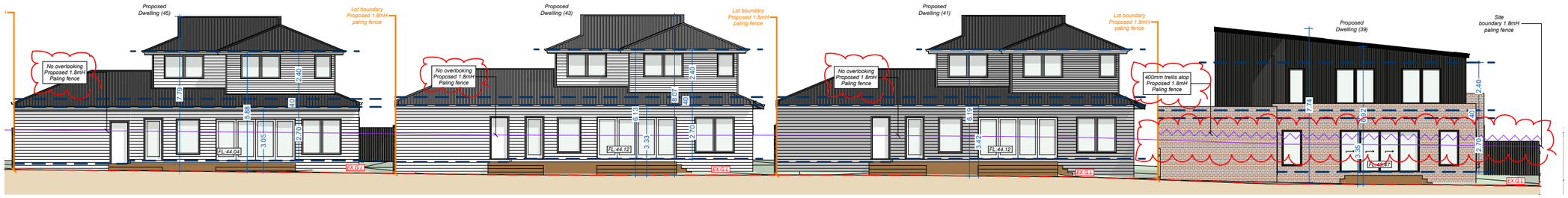
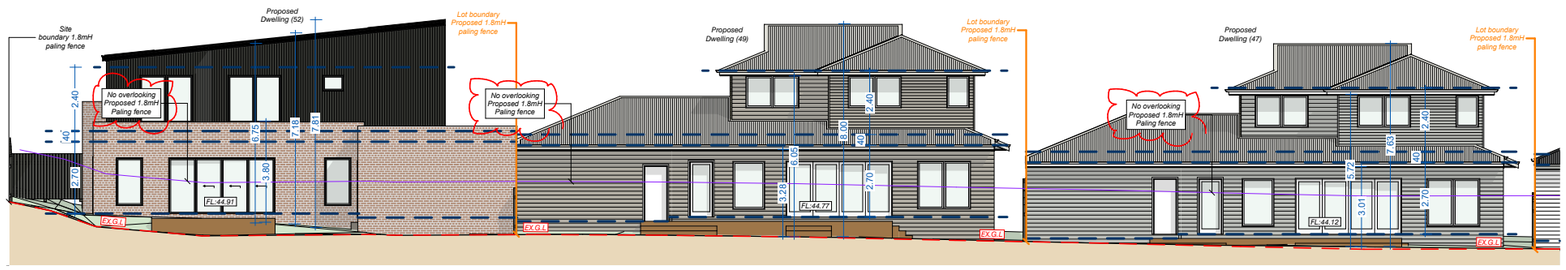
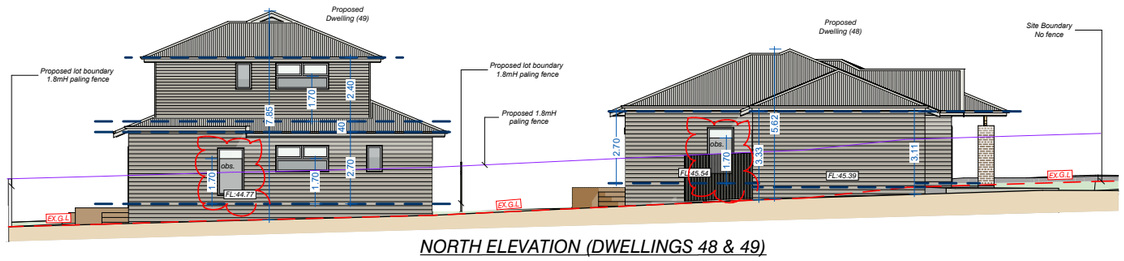


EAST ELEVATION (DWELLINGS 39, 41, 43 & 45)



EAST ELEVATION (DWELLINGS 47, 49 & 52)



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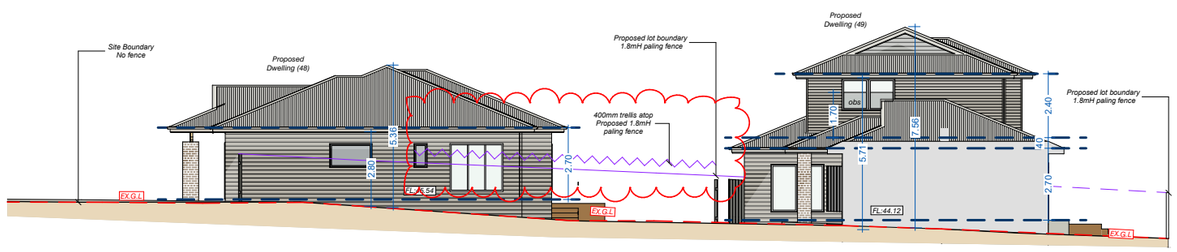

SOUTH ELEVATION (DWELLINGS 48 & 49)

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PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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27567 P18
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Document Set ID: 2363524
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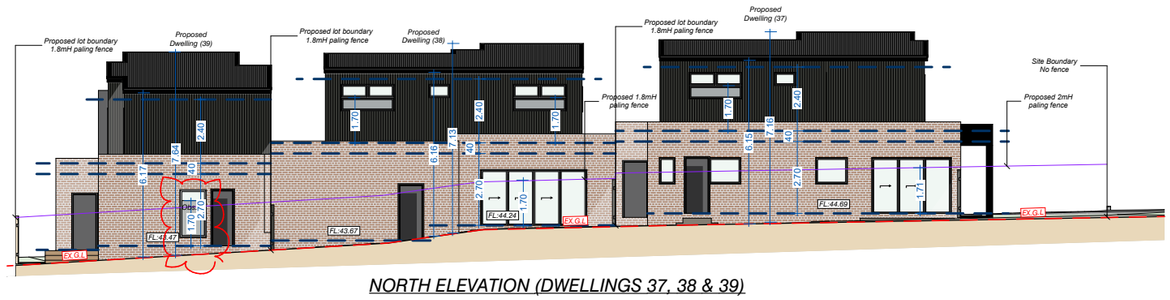

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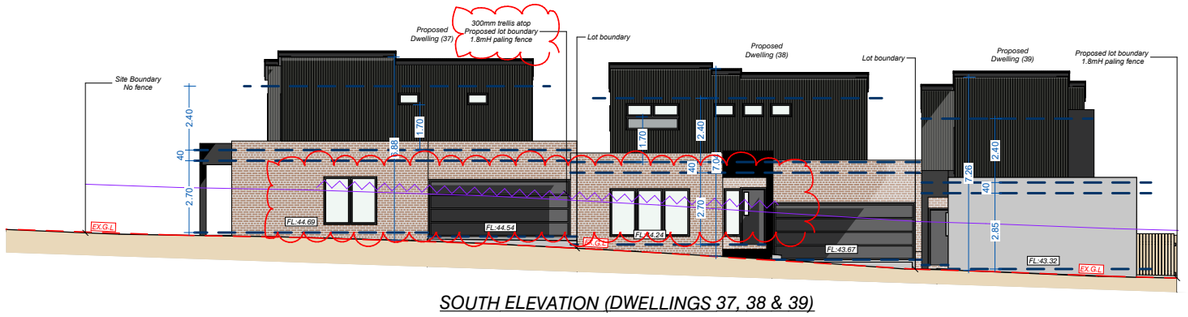
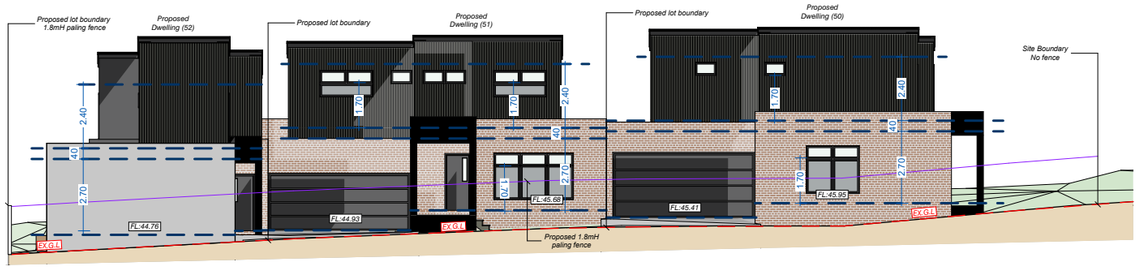


SOUTH ELEVATION (DWELLINGS 37, 38 & 39)

SOUTH ELEVATION (DWELLINGS 50, 51 & 52)



NORTH ELEVATION (DWELLINGS 50, 51 & 52)

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BUILDING ELEVATIONS - SHEET 13 OF 13
PROPOSED DEVELOPMENT
23 DUNBAR ROAD
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27567 P18
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SHADOW DIAGRAM - 9am

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P19
Version 03

Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023

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SHADOW DIAGRAM - 12 Noon

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P20
Version 03

Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023

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Work in Progress

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SHADOW DIAGRAM - 3pm

PROPOSED DEVELOPMENT

23 DUNBAR ROAD
TRARALGON, 3844
Latrobe City Council

27567 P21
Version 03

Document Set ID: 2363524
Version: 4, Version Date: 07/06/2023

TRARALGON
Princes Street
Bank Street
Queens Parade
Meredith Street
Glenlee Court
Lafayette Street
Loch Park Road
Ethel Street
Mabel Street
Hickox Street
Bourke Street
Short Street
Allard Street
Roseneath Street
Hyde Park Road
Francis Street
Wood Court
Keys Court
Leila Street
Derby Street
Orr Brien Crescent
Bennett Court
Marie Street
Charles Street
Sara Court
Elliott Street
Hugh Court
Collins Street
Curran Street
Morrison Street
Amy Street
Tennyson Street
Janette Street
Dunbar Road
GRZ3
PPRZ
RGZZ
IN1Z
2.74 D D E
2.00 D E
2.00 WAY D PL E
1.83 S E
15.24 D S E
3.00 S E
3.00 E
3.62 S E
0.56 E
1.00 E
3.05 E
2.50 E
2.24 E
1.83
3.00 E
2.00 E
2.00 D E
2.74 D
2.44
3.05

Attachment 5: Policy Assessment

Settlement

- Clause 02.03-1 Settlement
- Clause 11.01-1S Settlement
- Clause 11.01-1R Settlement – Gippsland
- Clause 11.01-1L Traralgon
- Clause 11.02-1S Supply of urban land

Comment:

The overwhelming majority of the above-mentioned policy seeks to direct population growth to areas appropriately serviced for such development. Traralgon is a designated location to accommodate growth, with nominated 'Substantial Change Areas' proximate to the CAD to accommodate the most significant change in housing form and density.

In many respects, the proposal meets this overarching policy intent for Settlement within the Scheme, in that the subject site is:

- Well located to jobs, transport and services, including walking distance to the Traralgon Railway Station and Traralgon Activity Centre;
- Zoned Mixed Use Zone, which is within the residential suite of zones in the Latrobe Planning Scheme, that provides limited restriction on the type and intensity of built form; and
- Identified in the Latrobe Planning Scheme as 'future substantial change area'; with substantial change areas expected to accommodate a large proportion of future residential growth within Latrobe.

These factors are, generally speaking, all matters that would tend in favour of the grant of a permit for the site.

The policy settings contained in these Clauses also speak to the need to protect the existing industrial area along Janette Street, and the Sibelco (now Graymont) Plant from land use conflict by residential use and development. Indeed, the specific reference to this site as a **future** substantial change area, is a recognition that the site is not currently suitable for such change unless and until the land use interface with the Janette Street Industrial Precinct is resolved.

Environmental Risks and Amenity

- Clause 02.03-3 Environmental risks and amenity

- Clause 13.02-1S Bushfire planning
- Clause 13.07-1S Land use compatibility
- Clause 13.07-1L Land use compatibility

Comment:

The major direction contained within these policies is found at Clause 13.07-1S and 13.07-1L, which seek *to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.* This policy setting is an encapsulation of the factors that result in the subject land being identified as **future** substantial change, tied to the transition of the Janette Street Industrial Precinct from its current industrial usage to either redevelopment or tempering of activity that would be compatible with more intense residential use and development.

When considering amenity and compatible land uses it cannot be considered just from the perspective of impacts to the sensitive use. Existing commercial, industrial and other uses must also be protected from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.

Relevantly, this policy setting requires consideration of EPA guidance for separation distances, which are also reflected in the operating requirements of the Sibelco (now Graymont) Lime Batching Facility. The subject site encroaches within the 500m buffer area that Graymont is required to comply with.

It is acknowledged that the application is accompanied by an acoustic assessment, which provides an assessment of impacts to the proposed residences. While this is beneficial in understanding likely acoustic impacts, this assessment does not outweigh the overarching policy direction, to avoid all amenity impacts that would emanate from existing industry. It is noted that once a residential development establishes, it becomes incumbent upon the emitting operations (i.e., the industrial properties), to ensure no unreasonable impact to those residents eventuates.

The applicant has not demonstrated that any consideration has been given to the impacts the proposal may have on existing commercial, industrial and other uses in the area and to simply suggest that due to the presence of existing residential development nearby that their proposal should also be accepted implies relevant planning policy should simply be ignored for the status quo. The addition of 50 dwellings in close proximity (approx. 450m) to an active heavy industrial site is a substantial intensification of a sensitive land use of which is currently discouraged by the scheme, at this location, at this point in time pending further strategic work.

The application does not consider any amenity impacts on locating increased residential density within separation and threshold distances under EPA guidelines 1518 and Clause 53.10. The lack of assessment means Council officers cannot

provide any conditions to a planning permit to ensure that the design, location and impact from noise and dust have been considered appropriate. Therefore, no conditions can be provided if a planning permit was issued due to the lack of information provided in the application.

It is accepted that there is a community benefit from the provision of varied housing stock in a well-located position, walkable to the CAD. However, these policies weigh heavily against the proposal; particularly in circumstances where the Scheme has specifically considered these risks in *Live Work Latrobe* and found that intensification of the site should only occur *after* any industry transitions, not prior.

The risks associated with potential land use conflicts at this location are significant and incremental changes in sensitive land uses should generally only be supported until such time as the further strategic work is completed.

Built Environment

- Clause 02.03-5 Built Environment and Heritage
- Clause 15.01-1S Urban Design
- Clause 15.01-1L Urban Design
- Clause 15.01-2S Building Design
- Clause 15.01-3S Subdivision Design
- Clause 15.01-3L Subdivision Design
- Clause 15.01-5S Neighbourhood Character
- Clause 15.01-5L Neighbourhood Character
- Clause 15.02-1S Energy and resource efficiency
- Clause 15.02-1L Energy and resource efficiency

Comment:

The above-mentioned policy seeks to ensure that development outcomes provide a positive urban design outcome and interface; being consistent with character outcomes for the area and provide appropriate amenity and liveability for future residents.

On the whole, the proposal is considered to accord with the policy directions contained in this clause.

A number of objections to the original application referred to the density of the proposed development, and this being inconsistent with prevailing character and

development forms of residential lots proximate to the site. It is a fair assessment of the application to say that it is higher density than existing residential development around it. However, there are a number of factors at play in which the increased density finds support in the Scheme, such as:

- The zoning of the site as Mixed Use Zone, which provides for higher density residential use and development, with no limitations on matters such as garden area requirements, and an express purpose *to provide for housing at higher densities.*
- While the surrounding development forms are lower in density, there is an eclectic interface of zoning around the site; each of which provides differing development expectations. The site has abuttals to land in the Residential Growth Zone, which has similar development expectations to the MUZ in terms of more intense development outcomes and a transition away from existing character. The site is opposite land in the Neighbourhood Residential Zone, which conversely tempers development expectations and forms in that area. There is no prevailing expected character or density outcome under these policies (save for comments relating to land use compatibility that result from the industrial interfaces that the site has).
- In terms of the overall built form presentation and on-site amenity the proposal generally exhibits a level of compliance with Clause 55 (ResCode) of the Scheme. However, a number of concerns have been identified in the ResCode assessments at attachments 6 and 7.
- The development form provides some diversity within the development, including positive interfaces to the public realm and a mixture of single and double storey developments.

The land use compatibility issues and ResCode inconsistencies identified in attachments 6 and 7 demonstrate a level of inconsistency with these policies.

Housing

- Clause 16.01-1S Housing supply
- Clause 16.01-1L Housing supply

Comment:

The above-mentioned policies seek to direct population growth to areas nominated as capable of accommodating such growth. As noted in Settlement, Traralgon is a designated location to accommodate growth, with nominated ‘Substantial Change

Areas' proximate to the CBD to accommodate the most significant change in housing form and density.

This policy provides more specific guidance, by reference to specific Housing Framework Plans that nominate specific areas for growth and in particular, encumbrances to such growth. This is not isolated to Traralgon and this site (for example, there is policy discouragement for growth south of Commercial Road in Morwell due to the open cut mine which is tied to the rehabilitation of the open cut).

These clauses provide specific discouragement to this site/area, by clearly stating for Council to *discourage housing intensification in areas identified for 'Future Substantial Change' south of Shakespeare Street, Traralgon, until existing industrial development located to the south (Area 6 of the Traralgon Township Structure Plan in Clause 11.01-1L) transitions to light industrial or other non - sensitive uses.*

There is no policy support within these Clauses, or the Scheme more generally, to move away from this policy setting, which is soundly based in principles of land use compatibility that the existing Janette Street Industrial Precinct and Graymont Plant warrant specific protections in the Scheme, to avoid gradual residential encroachments that render these operations unviable due to land use conflicts.

These policy settings form the primary basis of refusal for this application, due to:

- The strategic work underpinning this policy, which is contemporary, evidence based and results from sound planning principles in relation to industrial interfaces;
- The explicit and area/site specific nature of the policy, which is targeted (rather than broad brush) and sets a clear expectation in relation to the subject site and immediate environs; and
- Absent a generalised increase in density on the site, no countervailing community benefit that may justify *some* level of intensification on the site (notwithstanding the large scale development proposed in this application).

Transport

- Clause 18.02-1S Walking
- Clause 18.02-4S Roads

Comment:

The subject site is well located to transport services, in particular the road network, walking distance to public transport services, the CAD and associated connections. Road frontages to the site are sealed and considered capable of accommodating extra traffic that would be generated by the application.

A major change in these plans (compared to the version submitted with the permit application) is the creation of two "public" roads that provide a continuous route for

travel through the development and do not 'dead end'. To facilitate this, it is proposed that one of the significant trees located along the road reserve in Dunbar Road will need to be removed.

The two "public" roads are proposed to incorporate a 'road pavement' width of 5.5 metres and a footpath along one side only, within a road reserve width of 14 metres. The roads must comply with Council's minimum requirements for public access roads, i.e., have a road pavement width of not less than 7.3 metres, footpaths along both sides and a road reserve width of 16 metres. These roads are not compliant with Council requirements.

A Traffic Impact Assessment report (TIA) was provided with the original application, but no updated report has been received for the amended layout.

The TIA previously provided used estimates of the current traffic volumes in Dunbar Road and along Hickox Street for the purposes of assessing the impact of the proposed development on these streets. The figures used in the traffic report are "less than 500 vehicles per day" for Dunbar Road and "less than 1,000 vehicles per day" for Hickox Street. Actual traffic counts undertaken in these streets indicate that the assumptions under-represent the actual traffic volumes in these streets. A traffic count in Dunbar Road just north of the development site in December 2021, found traffic volumes at this location of 1,500 vehicle per day (3 times those assumed). Counts done in Hickox Street in 2012 recorded an average of 1,700 vehicles per day just north of the development site.

The TIA assessed the likely increases in traffic in the area around the site and found that the minimal traffic volume increases will be "readily accommodated" by the abutting streets.

It is expected that this development will potentially generate an additional 160 vehicle movements per day in Hickox Street and 275 vehicle movements per day in Dunbar Road. These sections of Hickox Street and Dunbar Road are classified by Council as Major Access Streets which under Council's design guidelines have a nominal capacity of 2,000 vehicle movements per day.

The Hickox Street road pavement is seven metres in width. Dunbar Road has a 9.3 metre wide road pavement. Under clause 56.06-8 of the Planning Scheme a seven metre wide road pavement has a maximum indicative traffic volume of 3,000 vehicles per day.

On this basis, although traffic volumes along this section of Hickox Street would increase from those at present by about a 10% increase, the expected total traffic volume would be lower than the nominal maximum considered appropriate for the existing width of the street. Dunbar Road has a wider road pavement and therefore a larger nominal capacity. Similarly for Dunbar Road, the proposed increase in traffic

due to the development is not expected to result in traffic volumes exceeding the maximum indicative traffic volume of 3,000 vehicles per day.

There is currently no footpath along the eastern and western boundaries of this property. This was the standard of development at the time this area was initially developed, and the previous use of the land did not require pedestrian access. Nor is there any kerb and channel along the west side of Hickox Street abutting the proposed development.

The amended plans, with the exception of the functional layout plans, show the provision (as part of the development works) of a footpath along the Dunbar Road and the Hickox Street frontages of the property. However, there is no existing pedestrian infrastructure to connect the development to the existing footpath network. Pedestrians walking from Allard Street south along either Dunbar Road or along Hickox Street to the development, would need to travel along the grassed naturestrips or use the abutting road pavement. This would not meet the principles of the Disability Discrimination Act (DDA).

Council's current standards for residential development requires that footpaths be available to each lot frontage, i.e., along both sides of streets, to provide for access and mobility and, as per the requirements of the IDM, Developers may be required to establish connective links to existing footpaths where demand is directly related to the development.

This position is supported by the principles of good street design outlined in Council's Live Work Latrobe "*Urban Design Guidelines*" and by the standards outlined in Clause 56 of the Planning Scheme which require footpaths along both sides of the street in order to provide pedestrian access to all properties "*to contribute to community health and well-being by encouraging walking and cycling as part of the daily lives of residents*".

Pedestrian access to the development is therefore warranted and it is not unreasonable to require the applicant to construct a footpath at their cost, from Allard Street along the east side of Hickox Street and west side of Dunbar Road to provide for pedestrian access to the new development.

Concerns have been raised by Council's Engineers regarding the ability to provide footpaths in front of the site in accordance with the Infrastructure Design Manual, without adverse impact to existing streetscape vegetation. A "Construction Tree Impact Assessment Report" submitted by the applicant with the original application recommends gravel surfaced footpaths and vehicle crossings within the tree TPZ areas.

Although the plans indicate a different hatching for this section of path, there is no legend on the amended plans to indicate what material is proposed for the construction of the footpath in these areas.

Council's standard for footpaths is concrete surfacing for asset life and maintenance reasons and for DDA compliance. This would however impact on the TPZ of these trees. However, an acceptable sealed surface material that is air and water permeable constructed on top of the existing naturestrip surface would be satisfactory for the health of the trees.

Council have done a few test sites around the municipality using wet-pour rubber. The permeability of this material assists the tree's health, there's minimal (if any) disturbance to the root system and the rubber has enough flex in it to withstand movement. In the case that expansion causes the rubber to tear, wet pour maintenance kits are available to repair. If no alternate path could be made, this would be the recommended approach. It is used by other larger Councils such as Port Phillip in these instances.

As part of any new development works, Council requires the provision of standard residential area infrastructure along "unconstructed" roads abutting developments. These works must be undertaken at the time the abutting land is subdivided or developed.

As part of this development, the construction of concrete kerb and channel along the western side of Hickox Street for the section abutting the development, will be required.

Clause 55 Objectives NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

Attachment 6: Clause 55 Assessment		**Does it meet the objective?** **Is a variation of the standard required?** **Is further information required?**
Clause 55.02-1 **Neighbourhood character objectives** To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that the design responds to the features of the site and the surrounding area.	**Standard B1** The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.	The layout of the proposed development is generally consistent with the development expectations of a land within a mixed-use zone that is in proximity of the Traralgon Activity Centre. A proposed improvement to the layout is to ensure that all lots for dwellings facing Dunbar Road will have an active interface to the road. In this regard, the orientation of Lot 22 to Dunbar Road may be re-considered. **Preliminary Concern only Lot 22 an issue with the amended plans.**

Clause 55 Objectives NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

Clause 55.02-2 **Residential policy objectives** To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.	**Standard B2** An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.	The subject site is within a MUZ in proximity of the Traralgon Activity Centre. In this regard, the proposed layout, built form and density will be respectful of the development expectation in the area. The location of the site within a Mixed-Use Zone requires an assessment under the Commercial Urban Design Guidelines in the Latrobe City Urban Design Guidelines. Further noting that any residential development in a Mixed-Use Zone will be like a development in a Substantial Change Area. Inconsistent with Clause 16.01-1L Housing Supply – Identified as 'Future Substantial Change area' – premature application. **Preliminary Concern**
Clause 55.02-3 **Dwelling diversity objective** To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	**Standard B3** Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: ▪ Dwellings with a different number of bedrooms.	The application proposes diversity of dwellings as follows: • 13 x single storey, 1-bedroom dwelling • 18 x single storey, 2- bedroom dwelling • 9 x single storey, 3-bedroom dwelling • 5 x double storey, 3-bedroom dwelling • 5 x double storey, 4-bedroom dwelling

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	▪ At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.	The floor plans are varied in composition and provide a good range of choice. **Meets objective and standard**
Clause 55.02-4 **Infrastructure objectives** To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	**Standard B4** Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	All services are currently available to the subject site and can be utilised for the proposed dwellings. Existing infrastructure has the capacity to cater for the new dwellings and the development will result in a more efficient use of existing infrastructure. **Meets objective and standard**
Clause 55.02-5		The proposed development has been generally designed to integrate with the existing

Clause 55 Objectives NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

Integration with the street objectives To integrate the layout of development with the street.	**Standard B5** Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space.	streetscape. A total of 5 dwellings will front Dunbar Road and 6 dwellings will front Hickox Street. The other dwellings will front internal roads or common property. Landscaping is proposed within front setbacks to enhance the overall outlook. Lot 22 would have the side of the dwelling facing Dunbar Road. Fencing treatment is not known. A better urban design outcome would be to have it face Dunbar Road. **Concern**
Clause 55.03-1 **Street setback objective** To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	**Standard B6** Walls of buildings should be set back from streets the distance specified in Table B1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard. **Residential Growth Zone 1, 3 & 4:**	The proposed front setback from Dunbar Road ranges from 4.02m to 4.25 m which complies. A setback of 3.0 m for Lot 22 side wall also complies. Hickox Street – setbacks of 5.5 m. From the plans submitted it appears setback of adjoining dwelling to the north is 8.6 m however a road is being created. 5.5 m setback acceptable. **Complies**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	3 metres Porches, pergolas and verandah that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setback of this standard	
Clause 55.03-2 **Building height objectives** To ensure that the height of buildings respects the existing or preferred neighbourhood character.	**Standard B7** The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.	The MUZ does not specify a maximum building height. The proposed dwellings are either single or double storey in nature, therefore consistent with the existing built form in the neighbourhood. **N/A**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	Changes of building height between existing buildings and new buildings should be graduated.	
Clause 55.03-3 **Site coverage objective** To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	**Standard B8** The site area covered by buildings should not exceed 60 percent.	Clause 55 assessment submitted by applicant states site coverage for the development totals 33% which is less than the maximum allowed of 60%. **Meets objective and standard**
Clause 55.03-4 **Permeability objectives** To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration.	**Standard B9** At least 20 percent of the site should not be covered by impervious surfaces.	Clause 55 assessment submitted by applicant states overall permeable area for the development totals 42.7% which is more than the minimum allowed of 20%. **Meets objective and standard**
Clause 55.03-5	**Standard B10** Buildings should be: ▪ Oriented to make appropriate use of solar energy.	Majority of dwellings have been designed to have north facing living areas and private open space. Dwellings 13 and 50 do not have north facing windows.

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

Energy efficiency objectives To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.	▪ Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. ▪ Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged. Living areas and private open space should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is maximised.	Other dwellings have north facing windows which face side fences and adjoining dwellings so may not be effective in received northern light – Dwellings 6, 8, 10, 12, 14, 16, 18, 33-36. **Concern**
Clause 55.03-6	**Standard B11**	An undeveloped reserve adjoins part of the south site boundary. The development has been designed to have side fences to the reserve, as it

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

Open space objective To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	If any public or communal open space is provided on site, it should: ▪ Be substantially fronted by dwellings, where appropriate. ▪ Provide outlook for as many dwellings as practicable. ▪ Be designed to protect any natural features on the site. ▪ Be accessible and useable.	is deemed more appropriate to have dwellings face the streets and the common accessway, rather that the reserve. **Meets objective and standard**
Clause 55.03-7 **Safety objective** To ensure the layout of development provides for the safety and security of residents and property.	**Standard B12** Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.	All dwellings have entrances that will be visible from the street or common property area. Bollard lighting can be proposed for the common property area. All yards are to be securely fenced to prevent public access. **Meets objective and standard**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	Private spaces within developments should be protected from inappropriate use as public thoroughfares.	
Clause 55.03-8 **Landscaping objectives** To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site.	**Standard B13** The landscape layout and design should: ▪ Protect any predominant landscape features of the neighbourhood. ▪ Take into account the soil type and drainage patterns of the site. ▪ Allow for intended vegetation growth and structural protection of buildings. ▪ In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. ▪ Provide a safe, attractive and functional environment for residents.	A landscape plan was submitted with the application. Impacts on surrounding trees unclear as one is proposed to be removed, but TPZs of others appear to be affected, resulting in assumed loss. Appropriate street tree species will need to be planted on new streets. It is unclear if they been shown on the landscaping plans. Canopy tree in front setback of each dwelling facing a street needs to be depicted. **Concern**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

Clause 55.03-9 **Access objectives** To ensure vehicle access to and from a development is safe, manageable and convenient. To ensure the number and design of vehicle crossovers respects the neighbourhood character.	**Standard B14** Accessways should: ▪ Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network. ▪ Be designed to ensure vehicles can exit a development in a forwards direction if the access way serves five or more car spaces, three or more dwellings, or connects to a road in a Road Zone. ▪ Be at least 3 metres wide. ▪ Have an internal radius of at least 4 metres at changes of direction. ▪ Provide a passing area at the entrance that is at least 5 metres wide and 7 metres long I the access way serves ten or more spaces and connects to a road in a Road Zone.	Excessive hard paving for lots 40 and 41 42 and 43 44 and 45 46 and 47 Swept paths to be demonstrated as compliant. Appears there may be street tree impact by crossovers. Road reserve width inadequate. Crossovers could be further rationalised with combining them on Hickox Street. Would reduce hard paving and provide more opportunities for street trees and on street car parking. **Concerns**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	The width of accessways or car spaces should not exceed: ▪ 33 per cent of the street frontage, or ▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.	
Clause 55.03-10 **Parking location objectives**	**Standard B15**	The parking areas provided are convenient to the dwellings.

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

To provide convenient parking for resident and visitor vehicles. To avoid parking and traffic difficulties in the development and the neighbourhood. To protect residents from vehicular noise within developments.	Car parking facilities should: ▪ Be reasonably close and convenient to dwellings and residential buildings. ▪ Be secure. ▪ Be designed to allow safe and efficient movements within the development. ▪ Be well ventilated if enclosed. Large parking areas should be broken up with trees, buildings or different surface treatments. Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.	3 bedrooms or more – double garage 1 or 2 bedrooms - single car garage All habitable windows are located at least 1.0 m from adjoining habitable room windows with a fence of 1.5 m or more. **Objective and standard met**
Clause 55.04-1		**Objective and standard met**

Clause 55 Objectives NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

Side and rear setbacks objective To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.		
Clause 55.04-2 **Walls on boundaries objective** To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	**Standard B18** A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary: ▪ For a length of more than the distance specified in a schedule to the zone; or ▪ If no distance is specified in a schedule to the zone, for a length of more than: o 10 metres plus 25 per cent of the remaining length of the	The only walls located on or within 200mm of external boundaries of the site are that of the garages for various dwellings. They are under the 3.6m height limit, average wall height (3.2m) and 10m wall length Doesn't comply for dwelling 35 – southern elevation. Garage wall height is greater than 3.6 m and greater than an average of 3.2 m. **Concerns**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	boundary of an adjoining lot, or ○ Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary. A building on a boundary includes a building set back up to 200mm from a boundary.	
Clause 55.04-3	**Standard B19**	

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

Daylight to windows objective To allow adequate daylight into existing habitable room windows.	Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot. Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.	There are no existing habitable windows that will be affected by the proposed development and will continue to achieve appropriate solar access. **N/a**
Clause 55.04-4		

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

North facing windows objective To allow adequate solar access to existing north-facing habitable room windows.	**Standard B20** If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.	There are no existing north facing windows situated within 3m of the property boundary. **N/a**
Clause 55.04-5 **Overshadowing open space objective** To ensure buildings do not significantly overshadow existing secluded private open space.	**Standard B21** Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the	**Objective and standard met**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.	
Clause 55.04-6 **Overlooking objective** To limit views into existing secluded private open space and habitable room windows.	**Standard B22** A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio,	**Objective and Standard met**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	and from a height of 1.7 metres above floor level. A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either: ▪ Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. ▪ Have sill heights of at least 1.7 metres above floor level. ▪ Have fixed, obscure glazing in any part of the window below 1.7 metre above floor ▪ level. ▪ Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. Obscure glazing in any part of the window below 1.7 metres above floor	

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view should be: ▪ Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. ▪ Permanent, fixed and durable. ▪ Designed and coloured to blend in with the development. This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	
Clause 55.04-7 **Internal views objective** To limit views into the secluded private open space and habitable	**Standard B23** Windows and balconies should be designed to prevent overlooking of	Internal views from stairwell windows. Screening required for dwellings 41, 43, 45 and 47. **Concerns**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

room windows of dwellings and residential buildings within a development.	more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.	
Clause 55.04-8 **Noise impacts objective** To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise.	**Standard B24** Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	Need to address local policy around existing industry. This has not been achieved. **Concerns**
Clause 55.05-1 **Accessibility objective**	**Standard B25**	**Standard and Objective Met**

Clause 55 Objectives NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

To encourage the consideration of the needs of people with limited mobility in the design of developments.	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	
Clause 55.05-2 **Dwelling entry objective** To provide each dwelling or residential building with its own sense of identity.	**Standard B26** Entries to dwellings and residential buildings should: ▪ Be visible and easily identifiable from streets and other public areas. ▪ Provide shelter, a sense of personal address and a transitional space around the entry.	**Standard and Objective Met**
Clause 55.05-3 **Daylight to new windows objective** To allow adequate daylight into new habitable room windows.	**Standard B27** A window in a habitable room should be located to face: ▪ An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and	**Standard and Objective Met**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or ▪ A verandah provided it is open for at least one third of its perimeter, or ▪ A carport provided it has two or more open sides and is open for at least one third of its perimeter.	
Clause 55.05-4 **Private open space objective** To provide adequate private open space for the reasonable recreation and service needs of residents.	**Standard B28** A dwelling or residential building should have private open space of an area and dimensions specified in the schedule to the zone. If no area or dimensions are specified in the schedule to the zone, a dwelling or residential building should have private open space consisting of: ▪ An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the	**Standard and Objective Met**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

	dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or ▪ A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or ▪ A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.	
Clause 55.05-5 **Solar Access to Open Space** To allow solar access into the secluded private open space of new dwellings and residential buildings.	**Standard B29** The private open space should be located on the north side of the dwelling or residential building, if appropriate. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2+0.9h) metres, where 'h' is the height of the wall.	Not satisfied for Dwelling 49. **Concerns**

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

Clause 55.05-6 **Storage** To provide adequate storage facilities for each dwelling.	**Standard B30** Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	Each dwelling has been provided with at least 6 cubic metres of storage space located within their respective garages or rear yards. **Standard and Objective Met**
Clause 55.06-1 **Design Detail** To encourage design detail that respects the existing or preferred neighbourhood character.	**Standard B31** The design of buildings, including: ▪ Façade articulation and detailing, ▪ Window and door proportions, ▪ Roof form, and ▪ Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	**Standard and Objective Met**
Clause 55.06-2	**Standard B32**	There are no front fences proposed within the internal lots of the development.

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

Front Fences To encourage front fence design that respects the existing or preferred neighbourhood character.	The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. A front fence within 3 metres of a street should not exceed: ▪ Streets in a Road Zone, Category 1: 2 metres. ▪ Other streets: 1.5 metres.	**N/A**
Clause 55.06-3 **Common Property** To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	**Standard B33** Development should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	3 areas of common property are proposed. They are proposed to provide shared access to various dwellings. They appear to be able to be functional and capable of efficient management. **Standard and Objective Met**
Clause 55.06-4	**Standard B34**	Sufficient space is available for the provision of services.

Clause 55 Objectives **NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

Site Services To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Bin and recycling enclosures should be located for convenient access by residents. Mailboxes should be provided and located for convenient access as required by Australia Post.	Mailbox locations are indicated along the front boundary and ample space is available for the private storage of bins within the garages or rear yards of each dwelling. **Standard and Objective Met**

ATTACHMENT 7 – Assessment against Clause 56: Residential Subdivision

Subdivision of 16-59 Lots

POLICY IMPLEMENTATION				
56.02-1 Strategic Implementation	**Met?**	**Standard C1**	**Met?**	**Comments**
To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.	No	*An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.*	No	For the reasons discussed throughout the assessment, the application is considered to be inconsistent with policies relating to residential land development and urban growth in relation to the intensification of land within proximity to the Janette Street Industrial Precinct and Graymont Lime Batching Facility.

LIVEABLE AND SUSTAINABLE COMMUNITIES				
56.03-4 Built Environment	**Met?**	**Standard C5**	**Met?**	**Comments**
To create urban places with identity and character.	No	*The built environment should:* • *Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.* • *Provide living and working environments that are functional, safe and attractive.* • *Provide an integrated layout, built form and urban landscape.* • *Contribute to a sense of place and cultural identity.* *An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.*	No	For the reasons discussed throughout the assessment, the application is considered to be inconsistent with policies relating to residential land development and urban growth in relation to the intensification of land within proximity to the Janette Street Industrial Precinct and Graymont Lime Batching Facility.

LOT DESIGN				
56.04-1 Lot Diversity and Distribution	**Met?**	**Standard C7**	**Met?**	**Comments**
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.	Yes	*A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.*	Yes	In general terms, the density proposed would be considered consistent with reasonable expectations for MUZ land in proximity to the Traralgon CBD and provides efficient use of the land.
To provide higher housing densities within walking distance of activity centres.	Yes	*Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.*	Yes	See above.
To achieve increased housing densities in designated growth areas.	Yes	*A range and mix of lot sizes should be provided including lots suitable for the development of:* • *Single dwellings* • *Two dwellings or more.* • *Higher density housing.*	Yes	Variations in lot size are provided such that different forms of development could reasonably be

		• *Residential buildings and Retirement Villages*		accommodated on the newly created lots.
To provide a range of lot sizes to suit a variety of dwelling and household types.	N/A	*Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.*	N/A	Lots appropriately designed to respond to site conditions. There is good provision for Public Transport within walking distance of the site.
		Lots of 300sqm or less in area, lots suitable for development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.	N/A	See above.
56.04-2 Lot Area and Building Envelopes	**Met?**	**Standard C8**	**Met?**	**Comments**
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.	Yes	*An application to subdivide land that creates lots of less than 300sqm should be accompanied by information that shows:* • *That the lots are consistent or contain a building envelope that is consistent with a development approved under this scheme, or* • *That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.*	Yes	The proposal is for a subdivision in accordance with development.
		Lots of between 300sqm and 500sqm should: • *Contain a building envelope that is consistent with a development of the lot approved under this scheme, or* • *If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10m x 15m, or 9m x15m if a boundary wall is nominated as part of the building envelope*	Yes	The proposal is for a subdivision in accordance with development.
		If lots of between 300sqm and 500sqm are proposed to contain buildings that are built to the boundary, the long axis of the lots should be within 30^0E and 20^0W of N unless there are significant physical constraints that make this difficult to achieve.	Yes	Complies.
		Lots greater than 500sqm in area should be able to contain a rectangle measuring 10m x 15m, and may contain a building envelope.	Yes	The proposal is for a subdivision in accordance with development
		A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless: • *The objectives of the relevant standard are met, and* • *The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.*	N/A	N/A
		Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:	N/A	N/A

		• *The building envelope must meet Standards A10 and A11 and Clause 54 in relation to the adjoining lot, and* • *The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.*		
		Lot dimensions and building envelopes should protect: • *Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.* • *Existing or proposed easements on lots.* • *Significant vegetation and site features.*	N/A	N/A
56.04-3 Solar Orientation	**Met?**	**Standard C9**	**Met?**	**Comments**
To provide good solar orientation of lots and solar access for future dwellings	No	*Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.*	No	Dwellings 6, 8, 10, 12, 14, 16, 18, 33-36 have north facing windows which face side fences and adjoining dwellings so may not be effective in received northern light.
		Lots have appropriate solar orientation when: • *The long axes of lots are within the range N20^{0}W to N30^{0}E, or E20^{0}N to E30^{0}S.* • *Lots between 300sqm and 500sqm are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within N20^{0}W to N30^{0}E.* • *Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.*	No	Appropriate solar access is provided given the site characteristics, however the design of dwellings 6, 8, 10, 12, 14, 16, 18, 33-36 have north facing windows which face side fences and adjoining dwellings so may not be effective in received northern light.
56.04-4 Street Orientation	**Met?**	**Standard C10**	**Met?**	**Comments**
To provide a lot layout that contributes to community social interaction, person safety and property security.	Yes	*Subdivision should increase visibility and surveillance by:* • *Ensuring lots front all roads and streets and avoid the side and rear lots being orientated to connector streets and arterial roads.* • *Providing lots of 300sqm or less in area and lots for 2 or more dwellings around activity centres and public open space.* • *Ensuring streets and houses look onto public open space and avoiding sides and rears of lot along public open space boundaries.*	Yes	The layout of the site is generally suitable in providing passive surveillance; being adjacent to public roads and interfacing both internally to the common property and externally to the public realm.
56.04-5 Common Area	**Met?**	**Standard C11**	**Met?**	**Comments**
To identify common areas and the purpose for which the area is commonly held.	Yes	*An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:* • *The common area to be owned by the body corporate, including any streets and open space.*	Yes	
To ensure the provision of common area is appropriate and that necessary management arrangements are in place.	Yes			

To maintain direct public access throughout the neighbourhood street network.	Yes	• *The reasons why the area should be commonly held.* • *Lots participating in the body corporate.* • *The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.*		The common property areas proposed are capable of efficient management. There are some concerns regarding access under Clause 55 and safety of waste vehicles moving through the site, however as these lots will be required to move bins to the through roads provided to avoid this issue.

URBAN LANDSCAPE				
56.05-1 Integrated Urban Landscape	**Met?**	**Standard C12**	**Met?**	**Comments**
To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.	N/A	*An application for subdivision that creates streets or public open space should be accompanied by a landscape design.*	N/A	Street based landscaping would be required to the satisfaction of Council's Parks Department should a permit be granted.
To incorporated natural and cultural features in the design of streets and public open space where appropriate.	Yes	*The landscape design should:* • *Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.* • *Create attractive landscapes that visually emphasise streets and public spaces.* • *Respond to the site and context description for the site and surrounding area.* • *Maintain significant vegetation where possible within an urban context.* • *Take account of the physical features of the land including landform, soil and climate.* • *Protect and enhance any significant natural and cultural features.* • *Protect and link areas of significant local habitat where appropriate.* • *Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.* • *Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread to the surrounding environment.* • *Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.* • *Develop appropriate landscape for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.*	Yes	As above.
To protect and enhance native habitat and discourage the planting and spread of noxious weeds.	Yes			

		• *Provide for walking and cycling networks that link with community facilities.* • *Provide appropriate pathways, signage, fencing, public lighting and street furniture.* • *Create low maintenance, durable landscapes that are capable of a long life.*		
To provide integrated water management systems and contribute to drinking water conservation.	Yes	*The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.*	Yes	Landscape design conditions could appropriately cater for these matters.

ACCESS AND MOBILITY MANAGEMENT				
56.06-2 Walking and Cycling Network	**Met?**	**Standard C15**	**Met?**	**Comments**
To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.	No	*The walking and cycling network should be designed to:* • *Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.* • *Link to any existing pedestrian and cycling networks.* • *Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.* • *Provide an interconnected and continuous network of safe and efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhoods streets and regional public open spaces.* • *Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.* • *Ensure safe street and road crossings including the provision for traffic controls where required.* • *Provide an appropriate level of priority for pedestrians and cyclists.* • *Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.* • *Be accessible to people with disabilities.*	No	Pedestrian footpaths are only provided on one side of the through roads. This does not meet Council requirements.
To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.	Yes			
To reduce car use, greenhouse gas emissions and air pollution.	Yes			
56.06-4 Neighbourhood Street Network	**Met?**	**Standard C17**	**Met?**	**Comments**
To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.	No	*The neighbourhood street network must:* • *Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, footpaths and public transport routes.* • *Provide clear physical distinctions between arterial roads and neighbourhood street types.* • *Comply with the Roads Corporation's arterial road access management policies.* • *Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.* • *Provide safe and efficient access to activity centres for commercial and freight vehicles.* • *Provide safe and efficient access to all lots for service and emergency vehicles.*	No	Footpath is only proposed along one side of the internal street network proposed which does not meet Council requirements.

		• *Provide safe movement for all vehicles.* • *Incorporate any necessary traffic control measures and traffic management infrastructure.*		
		The neighbourhood street network should be designed to: • *Implement any relevant transport strategy, plan or policy for the area set out in this scheme.* • *Include arterial roads at intervals of approximately 1.6km that have adequate reservation widths to accommodate long term movement demand.* • *Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.* • *Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.* • *Provide and interconnected and continuous network of street within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.* • *Provide an appropriate level of local traffic dispersal.* • *Indicate the appropriate street type.* • *Provide a speed environment that is appropriate to the street type.* • *Provide a street environment that appropriately management movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).* • *Encourage appropriate sharing of access lanes and access places by pedestrians, cyclists and vehicles.* • *Minimise the provision of culs-de-sac.* • *Provide for service and emergency vehicles to safely turn at the end of a dead-end street.* • *Facilitate solar orientation of lots.* • *Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.* • *Contribute to the area's character and identity.* • *Take account of any identified significant features.*	No	See comment above.
56.06-5 Walking and Cycling Network detail	**Met?**	**Standard C18**	**Met?**	**Comments**
To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.	No	*Footpaths, shared paths, cycle paths and cycle lanes should be designed to:* • *Be part of a comprehensive design of the road or street reservation.* • *Be continuous and connect.* • *Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.* • *Accommodate projected volumes and mix.* • *Meet the requirements of Table C1.* • *Provide pavement edge, kerb, channel and crossover details that support safe travel for*	No	Footpath is only proposed along one side of the internal street network proposed which does not meet Council requirements.
To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.	No			

		pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound. • *Provide appropriate signage.* • *Be constructed to allow access to lots without damage to footpath or shared path surfaces.* • *Be constructed with a durable, non-skid surface.* • *Be of a quality and durability to ensure:* ▪ *Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.* ▪ *Discharge of urban run-off.* ▪ *Preservation of all weather access.* ▪ *Maintenance of a reasonable, comfortable riding quality.* ▪ *A minimum 20 year life space.* • *Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.*		
56.06-6 Public Transport Network Detail				
To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.	N/A	*Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.* *Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.* *The design of public transport stops should not impede the movement of pedestrians.* *Bus and tram stops should have:* • *Surveillance from streets and adjacent lots.* • *Safe street crossing conditions for pedestrians and cyclists.* *Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.* • *Continuous hard pavement from the footpath to the kerb.* • *Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.* • *Appropriate signage.* *Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.*	N/A	No PT proposed in subdivision.
To provide public transport stops that are accessible to people with disabilities.	N/A			
56.06-7 Neighbourhood Street Network Detail	**Met?**	**Standard C20**	**Met?**	**Comments**
To design and construct street carriageways and verges so that the street geometry and traffic speed provide an accessible and safe	No	*The design of streets and roads should:* • *Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements*	No	Footpath is only proposed along one side of the internal street network proposed

neighbourhood street system for all users.		*of the relevant fire authority and roads authority must be met.* • *Provide street blocks that are generally between 120m and 240m in length and generally between 60m and 120m in width to facilitate pedestrian movement and control traffic speed.* • *Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.* • *Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.* • *Provide a low-speed environment while allowing all road users to proceed without inconvenience or delay.* • *Provide a safe environment for all street users applying speed control measures where appropriate.* • *Ensure intersection layouts clearly indicate the travel path and priority movement for pedestrians, cyclists and vehicles.* • *Provide a minimum 5m by 5m corner splay at junctions with arterial roads and a minimum 3m by 3m corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.* • *Ensure street are sufficient strength to:* ▪ *Enable the carriage of vehicles.* ▪ *Avoid damage by construction vehicles and equipment.* • *Ensure street pavements are of sufficient quality and durability for the:* ▪ *Safe passage of pedestrians, cyclists and vehicles.* ▪ *Discharge of urban run-off. Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.* • *Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.* • *Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.* • *Provide pavement edges, kerbs, channel and crossover details designed to:* ▪ *Perform the required integrated water management functions.* ▪ *Delineate the edge of the carriageway for all street users.* ▪ *Provide efficient and comfortable access to abutting lots at appropriate locations.* ▪ *Contribute to streetscape design.* • *Provide for the safe and efficient collection of waste and recycling materials from lots.* • *Be accessible to people with disabilities.*		which does not meet Council requirements.
	No	*A street detail plan should be prepared that shows, as appropriate:* • *The street hierarchy and typical cross-sections for all street types.*	No	As above.

		• *Location of carriageway pavement, parking, bus stops, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.* • *Water sensitive urban design features.* • *Location and species of proposed street trees and other vegetation.* • *Location of existing vegetation to be retained and proposed treatment to ensure its health.* • *Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.*		
56.06-8 Lot Access	**Met?**	**Standard C21**	**Met?**	**Comments**
To provide for safe vehicle access between roads and lots.	Yes	*Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.*	Yes	The site has no abuttals to the arterial road network.
		Vehicle access to lots of 300sqm or less in area and lots with frontage of 7.5m or less should be provided via rear or side access lanes, places or streets.	N/A	N/A
		The design and construction of a crossover should meet the requirements of the relevant road authority.	Yes	Crossovers would be provided in accordance with relevant requirements, noting the Clause 55 assessment considers number and size of crossovers. Conditions are to be imposed to ensure compliance.

INTEGRATED WATER MANAGEMENT				
56.07-1 Drinking Water Supply	**Met?**	**Standard C22**	**Met?**	**Comments**
To reduce the use of drinking water	Yes	*The supply of drinking water must be:* • *Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.* • *Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority*	Yes	Services would be installed in accordance with the requirements of the relevant utility provider.
To provide adequate, cost-effective supply of drinking water	Yes			
56.07-2 Reused and Recycled Water	**Met?**	**Standard C23**	**Met?**	**Comments**
To provide for the substitution of drinking water for non-drinking water purposes with reused and recycled water,	Yes	*Reused and recycled water supply systems must be:* • *Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.* • *Provided to the boundary of all lots in the subdivision where required by the relevant water authority.*	Yes	Services would be installed in accordance with the requirements of the relevant utility provider.
56.07-3 Waste Water Management	**Met?**	**Standard C24**	**Met?**	**Comments**
To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.	Yes	*Waste water systems must be:* • *Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environmental Protection Authority.* • *Consistent with any relevant approved domestic waste water management plan.*	Yes	Services would be installed in accordance with the requirements of the relevant utility provider.

		Reticulated waste water must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.	Yes	As above.
56.07-4 Urban Run-Off Management	**Met?**	**Standard C25**	**Met?**	**Comments**
To minimise damage to properties and inconvenience to residents from urban run-off.	Yes	*The urban stormwater management system must be:* • *Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.* • *Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed.* • *Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.* • *Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.*	Yes	Services would be installed in accordance with the requirements of the relevant utility provider.
To ensure that the street operates adequately during major storm events and provides for public safety.	Yes	*The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.*	Yes	As above.
To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.	Yes	*For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:* • *Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.* • *Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.*	Yes	As above.
		For storm events greater than 20% AEP and up to and including 1% AEP standard: • *Provision must be made for the safe and effective passage of stormwater flows.* • *All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.* • *Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria d_a V_{ave} < 0.35m^2/s (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).*	Yes	As above.
		The design of the local drainage network should: • *Ensure run-off is retarded to a standard required by the responsible drainage authority.* • *Ensure that every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Where possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.* • *Ensure that inlet and outlet structures take account of the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overload flow in a safe and predetermined manner.*	Yes	As above.

		• *Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.*		
		Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.	Yes	As above.

SITE MANAGEMENT				
56.08-1 Site Management	**Met?**	**Standard C26**	**Met?**	**Comments**
To protect drainage infrastructure and receiving waters from sedimentation and contamination.	Yes	*A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing::* • *Erosion and sedimentation.* • *Dust* • *Run-off* • *Litter, concrete and other construction wastes.* • *Chemical contamination.* • *Vegetation and natural features planned for retention.*	Yes	The site would be managed to address these issues; which would be imposed by permit condition if a permit is to be granted.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.	Yes	*Recycled materials should be used for the construction of streets, shared paths and other infrastructure where practicable.*	Yes	Reused/recycled materials would be used where practicable.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.	Yes			

UTILITIES				
56.09-1 Shared Trenching	**Met?**	**Standard C27**	**Met?**	**Comments**
To maximise the opportunities for shared trenching.	Yes	*Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.*	Yes	Services would be installed in accordance with the requirements of the relevant utility providers.
To minimise constraints on landscaping within street reserves.	Yes			
56.09-2 Electricity, Telecommunications and Gas	**Met?**	**Standard C28**	**Met?**	**Comments**
To provide public utilities to each lot in a timely, efficient and cost effective manner. *To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.*	Yes	*The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.*	Yes	Services would be installed in accordance with the requirements of the relevant utility provider.
		Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.	N/A	N/A
		The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The	Yes	Services would be installed in accordance with the requirements of the relevant utility provider.

		telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.		
		Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.	Yes	Services would be installed in accordance with the requirements of the relevant utility provider.
56.09-3 Fire Hydrants	**Met?**	**Standard C29**	**Met?**	**Comments**
To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.	Yes	*Fire hydrants should be provided:* • *A maximum distance of 120 metres from the rear of each lot.* • *No more than 200 metres apart*	Yes	Would be installed in accordance with CFA requirements.
		Hydrants and fire plugs must be compatible with the relevant fire service authority.	Yes	As above.
56.09-4 Public Lighting	**Met?**	**Standard C30**	**Met?**	**Comments**
To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.	Yes	*Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.*	Yes	Public lighting would be required prior to the issue of SOC in accordance with the relevant Australian Standard.
To provide pedestrians with a sense of personal safety at night.	Yes	*Public lighting should be designed in accordance with relevant Australian Standards.*	Yes	As above.
To contribute to reducing greenhouse emissions and to saving energy	Yes	*Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.*	Yes	As above.

CORPORATE ITEMS FOR DECISION

2023/24 COMMUNITY GRANT PROGRAM - ROUND 2

PURPOSE

To present the 2023/24 Community Grant Program Round Two recommendations for endorsement.

EXECUTIVE SUMMARY

- Applications for Round Two of the 2023/24 Community Grant Program were accepted from 29 January 2024 to 4 March 2024 for the following program categories:
    - Capital Works Minor
    - Capital Works Major
    - Community Wellbeing
    - Community Events Minor
    - Community Events Major.
- Council received a total of 66 applications across these five categories. A total of 36 applications have been recommended for full or part funding.
- Of the 30 unsuccessful applicants a total of 21 were assessed as ineligible, six (6) were not recommended by the panel and three (3) were withdrawn during the eligibility-check process.
- The total allocated budget for round two of the Community Grant Program was $387,683.00, as per the 2023/24 Annual Budget.
- The total amount of funding applied for in the Community Grant Program was $574,822.05
- Total funding recommended for the Community Grant Program is $313,492.85.
- To ensure that applicants were appropriately informed of changes resulting from the updated Community Grant Governance Policy (December 2023), Officers provided information through an email, social media campaign and five information sessions.
- Ineligible applicants were also followed up during the open grant round and provided a uniform, extended date to submit additional information to satisfy eligibility requirements.
- Further to the email, five Community Grant information sessions were held in-person and online at various times throughout the day to meet a diverse accessibility need. The information sessions provided attendees with a thorough overview of the Community Grant streams, including the eligibility criteria, eligible applicants, mandatory attachments and the updates to the Community Grant Governance Policy.

- An Out of Session Briefing with Councillors was held on 2 April, in which the recommendations of the panels were provided to assist Councillors to provide relevant comment or feedback.

OFFICER'S RECOMMENDATION

Part A

That Council approves 33 applications in the amounts stated as set out in Attachment A and releases publicly a list of the successful applicants.

Part B

That Council approves two applications in the amount stated as set out in Attachment B and releases publicly a list of the successful applicants – East Ward.

Part C

That Council approves one application in the amount stated as set out in Attachment C and releases publicly a list of the successful applicants – West Ward.

BACKGROUND

The Community Grant Program enables Council to make financial contributions to the cost of local projects. These programs are provided to acknowledge and enhance the contribution that individuals and groups make to the Latrobe City community life.

Applications for Round Two of the 2023/24 Community Grant Program were accepted from 29 January 2024 to 4 March 2024 for the following program categories:

- Capital Works Minor
- Capital Works Major
- Community Wellbeing
- Community Events Minor
- Community Events Major

The total annual budget for the Community Grant Program is $719,000.00. The budget is divided into each program category. The total budget for Round Two of the Community Grant Program is $387,683.00.

All applications were assessed in accordance with criteria set out in Latrobe City's Community Grant Governance Policy and scored out of 100.

Standardised Scoring Criteria

Total score out of 40

Assessment Criteria	Weighting
Previous Latrobe City Council Community Grant or Sponsorship funding received over the last five financial years.	20
Demonstrated in-kind contributions e.g. monetary, voluntary services etc.	20

The standardised scoring is scaled to ensure that there is a greater advantage for organisations that have received no funding or lower amounts of funding over the previous five financial years.

In-kind contributions were scored based on the percentage value of the contribution towards the total project cost.

Assessment Panel Scoring Criteria

Total score out of 60

Assessment Criteria	Weighting
The project addresses a community need and describes how the community will benefit from the project.	20
The applicant has demonstrated ability to deliver the project.	20
The application is consistent with the Council Plan, Municipal Public Health and Wellbeing Plan and other strategic documents.	20

Assessors were required to complete assessments on all applications within the allocated program relevant to their area of subject matter expertise, based on the assessment criteria outlined above.

Training was provided to assessors to ensure appropriate guidance and compliance responsibilities were understood when assessing applications.

Using the assessment criteria, panel members completed an individual assessment scoring each application out of 60.

The total standardised score and panel aggregate score were collated to provide a total assessment score out of 100 for each application. This score along with panel commentary formed the final recommendations for each application.

As a result of the assessment, applications have been supported in full, in part or not recommended. In some cases, additional funding conditions have been recommended for inclusion in the funding agreement and compliance will be required to achieve a successful acquittal.

Ineligible Applications

In addition to the above, some applications have been identified as ineligible due to outstanding acquittals from previous funding rounds or not meeting the Community Grant Governance Policy or Guidelines eligibility criteria. In these cases, community groups will be informed of how to improve their application for future rounds following outcome notifications.

To ensure that applicants were appropriately informed of eligibility requirements, resulting from the updated Community Grant Governance Policy (December 2023), Officers did the following:

- Emailed approximately 600 contacts advising of the new grant streams, upcoming information sessions and updated copies of the Grant Governance Policy and guidelines,
- Held five information sessions that were in-person, online and at various times throughout the day to meet diverse accessibility needs,
- Included information regarding changes to grant streams and eligible organisations in communications (i.e. social media post),
- Followed up with ineligible applicants during the open grant round and provided a uniform, extended date to submit additional information to satisfy eligibility requirements.

Of the 22 applications deemed ineligible, Officers contacted 13 of the applicants. These applicants were advised that further information was required, or their organisation was ineligible. The nine applicants that were not contacted were assessed as ineligible during the assessment phase as they did not meet the funding requirements. The below table outlines reasons for which applications were assessed as ineligible.

Reason for Ineligibility	Number	Result of Updated Policy?	Officer Commentary
Application was for non-fixed equipment.	5	No	Applications were received in Capital Works streams, under which only fixed items are eligible.
Applicant entity is an Australian public company, limited by guarantee.	3	Yes	Community Grant Program targeted towards local not-for-profit organisations.
Application was for maintenance work.	1	No	Maintenance work is an ineligible expenditure item.
Outstanding acquittal.	3	No	Applicants with outstanding acquittals are ineligible.
Mandatory documents not included in application. E.g., quotes, public liability insurance, approval Council etc.	4	Yes	Mandatory documents have been introduced as eligibility requirement to ensure equity for applicants and effective use of Officer time.
Applicant is not a registered not for profit.	1	No	Community Grant Program targeted towards local not-for-profit organisations.
Applicant is not based within the Latrobe City Council municipality.	2	Yes	Community Grant Governance Policy updated to ensure benefit of Community Grant Program is captured withing Latrobe City.
Event is being held prior to funding being approved.	1	No	Retrospective costs are ineligible.
Application was for a fundraising event.	1	No	Fundraising costs are ineligible.
Applicant is an educational institute.	1	No	Community Grant Program targeted towards local not-for-profit organisations, and excludes State and Federal Government departments, agencies and authorities.

ANALYSIS

Proposed recommendation for 2023/24 Community Grant – Round Two.

Capital Works Minor

Financial assistance provided to community groups for small scale facility improvements for accessibility, renovations and built in or fixed equipment.

Applications	Number of Applications	Total Funding
Received	22	$116,922.85
Recommended (includes part funding)	13	$67,175.85
Not Recommended	1	$7,000.00
Ineligible	7	$41,247.00
Withdrawn	1	$1,500.00

Capital Works Major

Financial assistance provided to community groups for medium to large scale facility improvements for accessibility, renovations and built in or fixed equipment.

Applications	Number of Applications	Total Funding
Received	20	$315,940.20
Recommended (includes part funding)	12	$193,833.50
Not Recommended	3	$52,327.70
Ineligible	4	$49,114.00
Withdrawn	1	$20,000.00

Community Wellbeing

Community projects or programs of all sizes that support community health and wellbeing.

Applications	Number of Applications	Total Funding
Received	13	$96,909.00
Recommended (includes part funding)	6	$35,989.00
Ineligible	7	$60,610.00

Community Events Minor

For small scale community events that support local community participation and celebration.

Applications	Number of Applications	Total Funding
Received	9	$32,000.00
Recommended (includes part funding)	3	$4,994.50
Not Recommended	2	$6,000.00
Ineligible	3	$14,000.00
Withdrawn	1	$4,000.00

Community Events Major

For large, high attendance community events, that attract significant visitation from outside of Latrobe City.

Applications	Number of Applications	Total Funding
Received	2	$16,000.00
Recommended (includes part funding)	2	$11,500.00

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
FINANCIAL Misuse of Council Funds by successful community groups.	**Medium** Possible x Moderate	Acquittal and accountability process as set out in the Community Grant Program Governance Policy.
COMPLIANCE Misuse of Council funds through poor Officer compliance with the Community Grant Governance Policy.	**Medium** *Possible x Minor*	The Community Grant Governance Policy provides clarity around eligibility and compliance requirements, enabling better adherence to the intent of the established governance practices and standards.

RISK	RISK RATING	TREATMENT
PR/REPUTATION Community group dissatisfied with the outcome of their application.	**Medium** Possible x Minor	Unsuccessful applicants will be provided with feedback and supported to prepare future submissions where possible.

CONSULTATION

Whilst the Community Grant Program were open, staff were available to provide one on one support to applicants to prepare a submission.

A short questionnaire is attached at the end of each application form which seeks feedback on the process and drive quality improvement.

COMMUNICATION

Five information sessions were held in advance of the Round, in-person and online, to provide the community with an overview of the program, policy and guidelines.

Applicants will be notified of their grant outcome by Friday 10 May 2024, subject to the resolution of Council at the May 2024 Council Meeting.

Discussion with applicants subject to additional funding conditions will be held following the Council Meeting and Funding Agreements will be issued for completion by Friday 14 June 2024.

Unsuccessful applicants will be provided with feedback and supported to prepare future submissions where possible.

A media release will be developed, promoting Council's financial contribution to community projects, demonstrating community support.

Successful applicants will be invited to attend a Community Grant Celebration event and will be provided further details once recommendations have been endorsed by Council.

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 Grant Program provides a significant positive benefit to not-for-profit groups within Latrobe City. These programs are provided to acknowledge and enhance the contribution that individuals and groups make to the Latrobe City community life.

Officers will endeavour to minimise the negative community implications arising from unsuccessful applications though engagement with applicants to discuss their application and if appropriate, work with them to promote a successful outcome in future grant rounds.

Health

The Community Grant Program supports community groups by providing funding for projects that increase social connection and physical and mental health.

Environmental

There are no environmental implications expected as an outcome of providing funding. Some projects support improved environmental sustainability at a minor local level.

Financial

In the event Council adopts the recommendations tabled in this report, a total of 36 Community Grant applications will be supported with a recommended total value of $313,492.85.

Attachments

1. Attachment A - 2023-24 Community Grant Program Round 2 - Recommended and Not Recommended (Published Separately)

   This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Recommendation for Councillor endorsement.

2. Attachment B - 2023-24 Community Grant Program Round 2 - Declared Conflict of Interest - East Ward (Published Separately)

   This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Recommendation for Councillor endorsement.

3. Attachment C - 2023-24 Community Grant Program Round 2 - Declared Conflict of Interest - West Ward (Published Separately)

   This attachment is designated as confidential under subsection (h) of the definition of confidential information contained in section 3(1) of the Local Government Act 2020, as it relates to confidential meeting information, being the records of meetings closed to the public under section 66(2)(a). Recommendation for Councillor endorsement.

REVIEW OF COUNCIL DELEGATIONS

PURPOSE

To seek Council's approval of an updated *Instrument of Delegation to Members of Council Staff* ('S6 Delegation').

EXECUTIVE SUMMARY

- To allow for Latrobe City Council to operate effectively and best utilise available resources, Council is empowered, pursuant to Section 11 of the *Local Government Act 2020*, to delegate via Instrument many of its powers, duties and functions to the Chief Executive Officer and Delegated Committees.
- Various other Acts and regulations empower Council to delegate specific powers, functions or duties contained within those Acts and regulations directly to appropriate Council officers.
- A review of the Instrument of Delegation to the Chief Executive Officer (S5) was undertaken by the Governance Team and Procurement Team and no required changes were identified.
- The Instrument of Delegation to Members of Council Staff (S6) has been reviewed by Officers, with delegated positions and powers updated as appropriate.
- Proposed alterations in accordance with legislative changes identified through Council's legislation update subscription service are as follows:
    - The *Planning and Environment Act 1987* has been amended, the following subsections have been inserted;
        - 125(1) - Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order; and
        - 148B - Power to apply to the Tribunal for a declaration.
- A copy of the S6 delegation will be provided as a separate document to this agenda.
- It is imperative from an accountability, transparency and risk management perspective that Instruments of Council Delegation are legislatively compliant and accurately maintained, which requires regular reviews and updates as relevant legislation changes or there are alterations to officer roles.

OFFICER'S RECOMMENDATION

That Council:

1. In the exercise of the powers conferred by the legislation referred to in the Instrument of Delegation at Attachment 1, resolve that:

a) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to Members of Council staff*, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument;

b) the Instrument comes into force immediately after the common seal of Council is affixed to the instrument;

c) on the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and

d) the duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

BACKGROUND

In accordance with Section 11 of the *Local Government Act 2020*, Council may delegate many of its powers, duties and functions to the Chief Executive Officer. Other Acts and regulations allow delegation of specific powers, functions, and duties to appropriate Council staff. Delegation of powers is generally considered essential to enable day-to-day decisions to be made.

The *Instrument of Delegation to Members of Council Staff (S6)* acts to delegate various Council powers, duties or functions lawfully permitted under relevant legislation or associated regulations to be delegated to and exercised by an appropriate Council Officer.

ANALYSIS

Instrument of Delegation to the Chief Executive Officer (S5)

The current *Instrument of Delegation to the Chief Executive Officer (S5)* was adopted on 4 May 2023. A review has been undertaken by the Governance and Procurement Teams and there were no necessary changes identified.

Instrument of Delegation to Members of Council Staff (S6)

To ensure continued compliance with the relevant Acts and regulations as they change over time, Instruments of Delegation must be reviewed regularly, and amendments made where required.

By way of assistance with the review process, Maddocks Lawyers provide councils with a bi-annual update of legislative amendments and associated recommended changes to delegations, which are provided in January and July each year via a subscription service. The most recent update takes into account any legislative changes up to January 2024. These changes and any updates are further reflected in the RelianSys System used by Council to manage delegations.

Effective and efficient functioning of local government would not be possible if the delegation of certain Council powers was not available. Delegations enable the performance of Council's required duties and functions, while ensuring effective oversight by Council.

Delegations facilitate the achievement of good governance for the community by empowering appropriate members of staff to make decisions on behalf of the Council. When delegations are utilised correctly, processing delays and unnecessary expenditure can be reduced, and resources are optimised.

Departments within Council have also provided operational information to assist the review process to ensure that the required positions have the correct delegations to perform their role.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE A delegation of Council is not compliant with legislation. An Officer of Council does not have the correct delegations to fulfill the requirements of their role and relevant legislation.	**Medium** *Possible x Moderate*	Ensuring that the review of the instruments of delegation are carried out regularly using advice provided by Maddocks in the RelianSys Delegation Management System.
SERVICE DELIVERY An Officer does not have the required delegation to fulfill their role, which may impact some service delivery.	**Medium** *Possible x Minor*	Ensuring that the review of the Instruments of Delegation is carried out regularly using advice provided by Maddocks in the RelianSys Delegation Management System. Ensuring that Management notify the Governance Team of any changes to positions/delegations required as soon as possible.

CONSULTATION

Community consultation has not been undertaken as this is a statutory function required by the *Local Government Act 2020.*

COMMUNICATION

Internal organisational review has been conducted to ensure that the delegation functions and powers are recorded as being assigned to the appropriate officer/s.

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

Not applicable.

Cultural

Not applicable.

Health

Not applicable.

Environmental

Not applicable.

Economic

Not applicable.

Financial

With the exception of the purchase price for the Maddocks Delegation and Authorisation Service (Council's yearly subscription fee) and the RelianSys Delegations Management System (Annual subscription fee), there is no direct cost to Council in delegating various powers, functions and duties.

Appropriate delegation assists in efficient use of resources and facilitating productivity.

Attachments

1. S6 Instrument of Delegation - Members of Staff - April 2024 (Published Separately)

TOURISM & MAJOR EVENTS ADVISORY COMMITTEE RECOMMENDATION - APRIL 2024

PURPOSE

To present the recommendations from the Tourism and Major Events Advisory Committee and seek Council approval to fund three events, being the 2024 National Outdoor Education Conference, 2024 – 2026 Latrobe City WIN Network Traralgon Golf Pro Am and the 2025 – 2026 AGL Loy Yang Traralgon International Junior Tennis Championships, through the major events attraction budget.

EXECUTIVE SUMMARY

- At its meeting held on 10 April 2024, the Tourism and Major Events Advisory Committee (TAMEAC) recommended funding support for the 2024 National Outdoor Education Conference, 2024 – 2026 Latrobe City WIN Network Traralgon Golf Pro Am, and the 2025 – 2026 AGL Loy Yang Traralgon International Junior Tennis Championships.
- All three events can be funded from the Major Event Attraction budget and, as a result, there are no budget implications.
- The projected economic impact for the three events combined is $3.3 million, with a return on investment per dollar spend of $86:1. The economic impact breakdown for each event is listed in the background section of the report.
- These major events have been reviewed and considered by officers based on an assessment prepared outlining economic benefit, community engagement, return on investment and benefit to the local community. Details of the assessments are provided in the attachments.

OFFICER'S RECOMMENDATION

That Council:

1. **Adopt 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:**
    - **2024 National Outdoor Education Conference (4 – 6 December 2024) for $9,000.**
    - **2024 – 2026 Latrobe City WIN Network Traralgon Golf Pro Am (held annually in November) for $15,000 per year, for three years.**
    - **2025 – 2026 AGL Loy Yang Traralgon International Junior Tennis Championships (held annually in January) for $15,000 per year, for two years.**

BACKGROUND

2024 National Outdoor Education Conference

Outdoors Victoria, on behalf of Outdoor Education Australia, is hosting the 2024 National Outdoor Education Conference (NOEC) at Federation University Churchill Campus.

This biennial Conference has been held nationwide since 1978, and 2024 will be the first time the National Conference has been held in Victoria since 2007. We are expecting 600+ sector professionals to fly in from USA, Canada, UK, Scandinavia and Asia, as well as interstate and across Victoria.

The conference expects to see inspiring keynote presenters, an exhibitor hall of over 30 outdoor equipment businesses, not for profit and government agencies with significant resources, valuable networking opportunities and carefully crafted professional development sessions and workshops that will inspire innovation and empower sector professionals to thrive in a dynamic and changing environment.

2024 – 2026 Latrobe City WIN Network Traralgon Golf Pro Am

This two-day golf event attracts professional golfers competing for a share of the $30,000 prize money. It's designated as an 'Order of Merit' tournament, offering credits toward major events like the Victorian and Australian Opens. With up to 100 professionals initially entering, the PGA trims the field to the top 60, ensuring each sponsor group includes a professional golfer.

Now integrated into the Pro-Am is the Traralgon Classic, a renowned event drawing the state's best amateur golfers. The field is capped at 50 classic players, with spots also reserved for local and often Melbourne-based amateurs.

Over the past two years, the event has experienced oversubscription, a testament to its popularity.

2025 – 2026 AGL Loy Yang Traralgon International Junior Tennis Championships

A world class international tennis tournament that has been hosted in Traralgon for the past 31 years. The event provides a pathway for the international and Australian top juniors as the lead in event to the Australian Open Junior Championships. The event is held across 14 days and involves in excess of 150 players from 35 countries.

Event	Council Contribution	Economic Impact (estimated per year)	Return on Investment (estimated per year)
2024 National Outdoor Education Conference 4 – 6 December 2024	$9,000, for 1 year.	$619,377	$68:$1
2024 – 2026 Latrobe City WIN Network Traralgon Golf Pro Am Held annually in November	$15,000 per year, for 3 years.	$250,171	$16:$1
2025 – 2026 AGL Loy Yang Traralgon International Junior Tennis Championships Held annually in January	$15,000 per year, for 2 years.	$2.5M	$172:$1

ANALYSIS

In accordance with the Major Events Selection Framework the recommendation to progress these events are presented to Council for adoption.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Major event doesn't meet safety or regulatory requirements.	**Low** *Unlikely x Minor*	All events supported by Council are required to submit and have approved an event permit where applicable.
SERVICE DELIVERY Inability to deliver event by scheduled date	**Low** *Unlikely x Minor*	Event timeframes are developed in conjunction with the Latrobe City Council events team. Strict oversight of this is provided by Council officers.

RISK	RISK RATING	TREATMENT
FINANCIAL Opportunity cost of lost economic benefit from this major event if not supported.	**Low** *Unlikely x Minor*	Use of the major event assessment process and review by Council officers and TAMEAC.
STRATEGIC Major event negatively impacts on the reputation of Latrobe City Council as an events destination.	**Low** *Unlikely x Minor*	TAMEAC consideration of event proposals and assessments. Strict oversight of operations and arrangements by Council officers.

CONSULTATION

Consultation has occurred with internal stakeholders to determine support of these major events. Further, 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 Latrobe City Council.

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 opportunity to host these major events is expected to enhance and boost civic pride and Latrobe's reputation as a centre for sporting excellence.

Cultural

These events are public sporting event 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. These events offer an excellent economic benefit to the municipality.

Financial

Event funding is covered under the annual Major Events Attraction budget 2024/25.

Attachments

1. 2024 National Outdoor Education Conference, Major Event Assessment
2. 2024 - 2026 Latrobe City Win Network Golf Pro Am, Major Event Assessment
3. 2025 - 2026 AGL Loy Yang Traralgon International Junior Tennis Championships, Major Event Assessment

8.3

Tourism & Major Events Advisory Committee Recommendation - April 2024

1 2024 National Outdoor Education Conference, Major Event Assessment 761

2 2024 - 2026 Latrobe City Win Network Golf Pro Am, Major Event Assessment 766

3 2025 - 2026 AGL Loy Yang Traralgon International Junior Tennis Championships, Major Event Assessment 772

TAMEAC Major Events Funding Assessment Form

2024 National Outdoor Education Conference, 4-6 December 2024

EVENT ASSESSMENT			
Date proposal received:	25 March 2024		
Application assessed by:	Jess Middlemiss		
EVENT CONTACT DETAILS			
Contact Name:	Andrew Knight	**Email:**	ceo@outdoorsvictoria.org.au
Title/Position:	CEO Outdoors Victoria	**Phone:**	0437 452 456
EVENT DETAILS & DELIVERABLES			
Event:	National Outdoor Education Conference		
Event date:	4 – 6 December 2024		
Event description: *Please provide detailed event description including the who, what, where, when?*	Outdoors Victoria, on behalf of Outdoor Education Australia, is hosting the 2024 National Outdoor Education Conference (NOEC) at Federation University Churchill Campus. This biennial Conference has been held nationwide since 1978, and 2024 will be the first time the National Conference has been held in Victoria since 2007. We are expecting 600+ sector professionals to fly in from USA, Canada, UK, Scandinavia and Asia, as well as interstate and across Victoria. The conference expects to see inspiring keynote presenters, an exhibitor hall of over 30 outdoor equipment businesses, not for profit and government agencies brimming with resources, ample networking opportunities and carefully crafted professional development sessions and workshops that will inspire innovation and empower sector professionals to thrive in a dynamic and changing environment.		
Is the event new or existing?	☐ New Event ☒ Existing Event: How long has your event been running for? 46 years, every second year, moving to a different State and Territory – will be the first-ever time in Gippsland.		
Purpose/Aims/Objectives:	Latrobe City and Fed Uni were strategically chosen amongst a large field of applicants to hold the National Outdoors Education Conference, to showcase to the Outdoors sector thought leaders that the transformation is underway across Gippsland - opening to new industries and innovations.		
Benefit/Outcomes:	Showcase to 600+ outdoor sector thought leaders from overseas, interstate and intrastate, what Latrobe City and wider Gippsland can offer this industry – there are significant business and education growth prospects.		

EVENT BUDGET			
Please outline your event budget in the income and expenditure tables below, including details of other funding that you have applied for, whether it has been confirmed or not.			
INCOME		**EXPENDITURE**	
Latrobe City Council	$9,000	Event Operations	$167,838
Additional Grants / Sponsorship	$6,000	Marketing and Promotion	$60,000
Ticket Sales / Exhibitor Booths	$240,000	Administration	$48,000
In-kind: Fed Uni Venue Hire	$30,000	Transport for attendees	$9,162
TOTAL	**$285,000**	**TOTAL**	**$285,000**

EVENT GRADING		
Estimated economic benefit to Latrobe Valley	**ROI**	**Rating**
Projected economic impact: $619,377.00 Figures based on assumption the following attendees staying 2 nights, 3 days: • 350 x overnight intrastate • 200 x overnight interstate • 50 x overnight international **ROI – $68:$1**	Up to $10	☐ 1
	$11 – $19	☐ 2
	$20 +	☒ 3
Event Term – commitment to hosting event in Latrobe City		
1 year only – annual event and/or agreement is for 1 year		☒ 1
2 years		☐ 2
3 years +		☐ 3
Event budget		
Budget supplied	**Poor**	☐ 1
	Good	☒ 2
	Excellent	☐ 3
Does the event have budget for promotion and marketing opportunities to showcase Latrobe City and beyond? (Please select one)		
None allocated		☐ 0
Latrobe City Only		☐ 1
Gippsland		☐ 2

Intrastate		☐ 3
Interstate		☒ 4
In addition to the above, does the event provide opportunity to market and promote Latrobe City as a tourist destination through the events existing and established marketing channels? i.e. membership data base, TV / live streaming digital media other.		
Outdoor Victoria will work with the Latrobe City team, as well as work closely with the dozens of mainstream media outlets to promote the area and the Conference.		☒ Yes (1) ☐ No (0)
Is there a proposed community engagement plan / content? If yes, is there any intent to engage / collaborate with schools, CALD community members, or outreach communities? Expand:		
This is an Outdoor Education Conference, so educators are front and centre. We will work closely to engage with schools, CALD community members, and outreach communities to connect them into a myriad of opportunities to be involved.		☒ Yes (1) ☐ No (0)
Calendar/market fit for Latrobe City Calendar of Events		
Good fit, no conflicting major events	**Poor**	☐ 1
	Good	☐ 2
	Excellent	☒ 3
Are there other activities/programs included in the proposal that have not been mentioned previously? If so, please provide details:		
None		
Please provide details on any other activities, programs or information and any further information below in regard to this event application		
• There is precedent of the Victorian Deputy Premier/Ministers attending to open the Annual Outdoors Victoria Conference. • The Board of Outdoors Victoria have been very impressed by Fed Uni's professionalism and the fantastic facilities, so is now planning on holding OV's annual conference for 360-400 attendees every second year at the Fed Uni Gippsland Campus. (No support would be expected from Latrobe City for the State Conference.)		
Grading guide: 0 – 6 = GOOD, 7 – 12 = V GOOD, 13 and above = EXCELLENT	**Score**	**15/20**
STRATEGIC GOALS / FOCUS		
Does the event support the following strategic goals:		
Adding to our region's Economic prosperity		☒ Yes ☐ No
Being complementary to community members and groups		☒ Yes ☐ No
Increasing the regions image and visibility		☒ Yes ☐ No

IDENTIFY KEY ISSUES / BENEFITS	
Issues:	Nil
Benefits:	• Business and conferencing event • Great economic impact and return on investment • Additional event secured (Victorian Outdoor Education Conference) as an outcome of hosting this event

RECOMMENDATION

Taking the above into consideration, it is recommended to proceed with this proposal.

Recommended funding allocation: $9,000.

These recommendations align with the **Latrobe City Events & Tourism Strategy 2018–2022:**

1. Increase Visitation
Through developing major destination attractions, experiences, and hallmark events. By leveraging events as a catalyst for tourism growth through a diverse year-round calendar of events.

2. Increase Length of Stay and Visitor Spend
By stopping passing through traffic and convert day trippers into overnight stays. Via increased spend through value-adds and the packaging of events and tourism experiences.

3. Increase Destination Profile
Through brand development, destination and event marketing and PR. By prioritising digital and social media and collaboration with regional, state, and national partners.

4. Promote Community Connectiveness
By encouraging community support. Through participation in events and tourism initiatives.

It also supports the Latrobe City Council Plan 2021 - 2025 objectives:

1. Creative
- Promote economic growth and job creation through events and recreation related tourism capitalising on our arts, cultural and sporting facilities.

2. Healthy
- Continue to position Latrobe City for major sporting events that are accessible and inclusive for all our community.

3. Connected
- Promote our role as Gippsland's Regional City to support economic growth and events programming, cultural events and recreation and sporting attractions.

TAMEAC Major Events Funding Assessment Form

2024 – 2026 Traralgon Latrobe City WIN Network Pro Am Classic

EVENT ASSESSMENT			
Date proposal received:	4 March 2024		
Application assessed by:	Jess Middlemiss		
EVENT CONTACT DETAILS			
Contact Name:	Ian Whitehead	**Email:**	ian57@wideband.net.au
Title/Position:	Secretary: Pro Am Committee. Traralgon Golf Club.	**Phone:**	5174 1709 (clubhouse) 0427 800 297
EVENT DETAILS & DELIVERABLES			
Event:	Traralgon Latrobe City WIN Network Pro Am and Classic		
Event date:	7 – 8 November 2024 (TBC)		
Event description: *Please provide detailed event description including the who, what, where, when?*	This two-day golf event attracts professional golfers competing for a share of the $30,000 prize money. It's designated as an 'Order of Merit' tournament, offering credits toward major events like the Victorian and Australian Opens. With up to 100 pros initially entering, the PGA trims the field to the top 60, ensuring each sponsor group includes a professional golfer. Now integrated into the Pro-Am is the Traralgon Classic, a renowned event drawing the state's best amateur golfers. The field is capped at 50 classic players, with spots also reserved for local and often Melbourne-based amateurs. To maintain pace and avoid excessively long rounds, morning and afternoon fields are limited to 27 groups. Over the past two years, the event has experienced oversubscription, a testament to its popularity. This presents a challenge for the organising committee, albeit a positive one.		
Is the event new or existing?	☐ New Event ☒ Existing Event: How long has your event been running for? 33 years		
Purpose/Aims/Objectives:	**Purpose:** To promote golf and the golf club to the wider community. **Aims:** • To administer a major golf event that runs smoothly in all aspects. • To promote golfer enjoyment by playing with a professional golfer. • To gain additional membership from golfers not currently members.		

	Objectives: • To secure sponsorships to enshrine event into the regular Gippsland sports calendar. • To assess the event with the view of constant improvement. • To introduce annual changes, tweaks and new ideas so that the event remains 'fresh' in the eyes of both the participating public and the Pro-Am Committee.
Benefit/Outcomes:	**Benefits:** Promotion of both golf and the Latrobe Valley as a place to visit, knowing through experience the event is well administered, enjoyable and family friendly (many of the classic amateurs are young golfers supported by friends and family). **Outcomes:** Golfers in all categories (professional, amateur classic and club amateurs) come from outside the immediate area. We now have a small but regular contingent of club golfers that travel from Melbourne to play. The increased number of players outside of Latrobe City results in extra patronage at local accommodation and restaurants and cafes.

EVENT BUDGET

Please outline your event budget in the income and expenditure tables below, including details of other funding that you have applied for, whether it has been confirmed or not.

INCOME		**EXPENDITURE**	
Latrobe City Council	$20,000	PGA	$30,000
Additional Event Sponsorship	$22,000	Bar Expenses	$4,200
Bar Sales	$7,300	Wages	$4,000
Breakfast. BBQ. Sales	$1,000	Alinta Corporate Day	$360
Classic Entries	$2,800	Stationery and Postage	$830
Amateur Entries	$3,000	Event Prizes (amateur)	$1,700
		Junior Event 9 x $150	$1,050
		Sponsor Tab	$ 400
TOTAL	**$56,100.00**	**TOTAL**	**$42,540.00**

EVENT GRADING		
Estimated economic benefit to Latrobe Valley	**ROI**	**Rating**
Projected economic impact: $250,171.55 (figures based on 2023 event) **ROI –** $16:$1	Up to $10	☐ 1
	$11 – $19	☒ 2
	$20 +	☐ 3
Event Term – commitment to hosting event in Latrobe City		
1 year only – annual event and/or agreement is for 1 year		☐ 1
2 years		☐ 2
3 years +		☒ 3
Event budget		
Budget submitted. Budget showing projected profit of $13,500.	**Poor**	☐ 1
	Good	☒ 2
	Excellent	☐ 3
Does the event have budget for promotion and marketing opportunities to showcase Latrobe City and beyond? (Please select one)		
None allocated		☐ 0
Latrobe City Only		☐ 1
Gippsland		☒ 2
Intrastate		☐ 3
Interstate		☐ 4
In addition to the above, does the event provide opportunity to market and promote Latrobe City as a tourist destination through the events existing and established marketing channels? i.e. membership data base, TV / live streaming digital media other.		
The Pro Am is marketed as both a major golf event, while also encouraging those attending from outside Latrobe City. Facebook and other social media platforms are used, plus traditional media via sponsors, LV Express, WIN Network and TRFM are used primarily to promote the tournament.		☒ Yes (1) ☐ No (0)
Is there a proposed community engagement plan / content? If yes, is there any intent to engage / collaborate with schools, CALD community members, or outreach communities? Expand:		
With the event now occurring in the school year, rather than mid-January we can approach schools for small group excursions and / or a junior clinic.		☒ Yes (1) ☐ No (0)

Most aged care facilities have their own community bus. We are willing to make all the approaches to make this happen.		
Calendar/market fit for Latrobe City Calendar of Events		
Event conflicts with the International Rose Garden Festival, however this event won't affect the Pro Am.	**Poor**	☐ 1
	Good	☒ 2
	Excellent	☐ 3
Are there other activities/programs included in the proposal that have not been mentioned previously? If so, please provide details:		
The infrastructure at the tournament is excellent. An on-course drinks cart, a BBQ area, a (sponsored) Festival Hole, clubhouse coffee and sandwiches, a cooked breakfast and mid-day and evening meals for players, are all well run and supported by the members. It is not possible to quantify the value of 'in kind' member support, but we estimate in excess of one hundred members are involved in direct event support. One sponsor (Alinta Energy) used their sponsorship to run a professional golfer demonstration and beginners' lessons, followed by a staff Christmas function on the clubhouse decking. Our committee encourages and supports such creativity.		
Please provide details on any other activities, programs or information and any further information below in regard to this event application		
Supporting Statements **Club Chairperson: Ross Chapman** The Traralgon Latrobe City WIN Network Pro Am and Classic is the major event hosted by the Club on a yearly basis and has been well received within the Traralgon Community. Any surplus funds raised by the event are used to constantly improve this valued asset for our community. Recently further emphasis has been put into encouraging junior golfers to the sport and to assist this there has been the inclusion of a Junior Pro Am on the preceding Wednesday, where they get to play alongside a professional golfer in a team event. **Chairperson Pro Am Committee: Andy Milbourne** Our committee takes enormous pride in getting this event up and running year after year. Most of our sponsors are local businesses, whose motivation is as much to support the golf club as it is to further their own business. Without this sponsorship there is no pro-am. Similarly, the volunteers on the course and in the clubhouse contribute without need for accolades. Again, without them, there is no pro-am. Latrobe City provide the umbrella for all that happens in this event courtesy of their long-term naming rights sponsorship. We appreciate this in requesting continuance of this long-term arrangement. **Secretary Pro Am Committee: Ian Whitehead** There are many additional community engagement initiatives here to justify the extra funding requested in this application. Thank you for your consideration.		
Grading guide: 0 – 6 = GOOD, 7 – 12 = V GOOD, 13 and above = EXCELLENT	**Score**	**13/20**

STRATEGIC GOALS / FOCUS	
Does the event support the following strategic goals:	
Adding to our region's Economic prosperity	☒ Yes ☐ No
Being complementary to community members and groups	☒ Yes ☐ No
Increasing the regions image and visibility	☒ Yes ☐ No
IDENTIFY KEY ISSUES / BENEFITS	
Issues:	• The club has requested an increase of funding from $15,000 to $20,000.
Benefits:	• Long running event within the community with naming rights • Integration of professional and amateur golfers

RECOMMENDATION

Taking the above into consideration, it is recommended to proceed with this proposal.

Recommended funding allocation: $15,000 – reduced funding allocation due to low ROI and the event making a profit.

These recommendations align with the **Latrobe City Events & Tourism Strategy 2018–2022:**

1. **Increase Visitation**
Through developing major destination attractions, experiences, and hallmark events. By leveraging events as a catalyst for tourism growth through a diverse year-round calendar of events.

2. **Increase Length of Stay and Visitor Spend**
By stopping passing through traffic and convert day trippers into overnight stays. Via increased spend through value-adds and the packaging of events and tourism experiences.

3. **Increase Destination Profile**
Through brand development, destination and event marketing and PR. By prioritising digital and social media and collaboration with regional, state, and national partners.

4. **Promote Community Connectiveness**
By encouraging community support. Through participation in events and tourism initiatives.

It also supports the Latrobe City Council Plan 2021 - 2025 objectives:

1. **Creative:** Promote economic growth and job creation through events and recreation related tourism capitalising on our arts, cultural and sporting facilities.

2. **Healthy:** Continue to position Latrobe City for major sporting events that are accessible and inclusive for all our community.

3. **Connected:** Promote our role as Gippsland's Regional City to support economic growth and events programming, cultural events and recreation and sporting attractions.

TAMEAC Major Events Funding Assessment Form

2025 – 2026 AGL Loy Yang Traralgon International

EVENT ASSESSMENT			
Date proposal received:	20 March 2024		
Application assessed by:	Jess Middlemiss		
EVENT CONTACT DETAILS			
Contact Name:	Susie Grumley	**Email:**	sec@traralgontennis.com
Title/Position:	Manager / Secretary	**Phone:**	0419 383 707
EVENT DETAILS & DELIVERABLES			
Event:	AGL Loy Yang Traralgon International		
Event dates:	15 – 22 January 2025 14 – 21 January 2026		
Event description: *Please provide detailed event description including the who, what, where, when?*	This is a Grade 1 International Tennis Federation Tournament and the lead in event to the Australian Open Juniors at Melbourne Park. The event attracts the top juniors in the World and is played at the Traralgon Tennis Association. There are both boys and girls singles and doubles events.		
Is the event new or existing?	☐ New Event ☒ Existing Event: How long has your event been running for? 31 Years		
Purpose/Aims/Objectives:	• World class international tennis tournament in Latrobe City • Promote our region on an international scale • Bring a good economic boost into our community • To promote sport and tennis • Enable Victorian players the opportunity to participate in the qualifying draws • Attract maximum players to have full draws in both male and female draws to enable maximum match play for all players • Provide a top-class venue where players can train as well as play in the event • Encourage community participation through being a volunteer or ball person • Enable our community to come and watch world class tennis, with free entry into the venue over the event, enabling an affordable event for families and all to attend		
Benefit/Outcomes:	• To successfully run the event working in with our major stakeholders, Tennis Australia, Latrobe City, AGL Loy Yang, and all our sponsors • Run a professional event where coaches and players want to come back again for Junior and Pro Tour Events • Promotion of our sponsors, local businesses and tourist destinations within our community and region • Good economic boost into our community		

	• Provide opportunities for locals and Victorians to participate in the event and train with players • Increased tennis participation at a club level through night tennis comps, junior comps and coaching for both adults and juniors • Put Traralgon Tennis Association and Latrobe City on the map as a great tennis event destination, hopefully encouraging more events to the club and region

EVENT BUDGET

Please outline your event budget in the income and expenditure tables below, including details of other funding that you have applied for, whether it has been confirmed or not.

INCOME		EXPENDITURE	
Latrobe City Council	$15,000	Catering expenses	$24,024
Additional Grants / Sponsorship	$15,000	Marketing and Promotion	$7,000
In-kind	$4,450	Corporate dinner and players event	$15,004
Catering	$34,000	Infrastructure	$7,695
Corporate Dinner	$11,127	Tournament requirements (physio, laundering towels, ice, trophies)	$3,524
		Administration	$15,353
TOTAL	**$79,577**	**TOTAL**	**$72,600**

EVENT GRADING

Estimated economic benefit to Latrobe Valley	**ROI**	**Rating**
Projected economic impact: $2.58M (based on 2024 event figures) **ROI – $172:$1**	Up to $10	☐ 1
	$11 – $19	☐ 2
	$20 +	☒ 3

Event Term – commitment to hosting event in Latrobe City	
1 year only	☐ 1
2 years	☐ 2
3 years + (while a two-year term, the event has been hosted in our region for 31 years)	☒ 3

Event budget		
Event budget provided	**Poor**	☐ 1
	Good	☒ 2
	Excellent	☐ 3
Does the event have budget for promotion and marketing opportunities to showcase Latrobe City and beyond? (Please select one)		
None allocated	☐ 0	
Latrobe City Only	☐ 1	
Gippsland	☐ 2	
Intrastate	☐ 3	
Interstate	☒ 4	
In addition to the above, does the event provide opportunity to market and promote Latrobe City as a tourist destination through the events existing and established marketing channels? i.e. membership data base, TV / live streaming digital media other.		
The event is marketed and promoted as a sporting event and tourist destination through: • Member and sponsor database emails prior to and during the event • Traralgon Tennis Association website and Facebook page (daily updates) and Instagram page • Local television, newspaper and radio station • Gippsland tourist stand is set up for the event • Players receive an information booklet with things to do around the area and places to visit • Local facilities and businesses are used for the event	☒ Yes (1) ☐ No (0)	
Is there a proposed community engagement plan / content? If yes, is there any intent to engage / collaborate with schools, CALD community members, or outreach communities? Expand:		
• Volunteers are sourced • Some local community members participate as lines people (those who have completed the appropriate course) • Fully accessible event with no entry fee into the venue • Community is invited to twilight grand final night • Some courts are available for the community to be able to come and play on throughout the event • The club hosts a dinner over the event enabling sponsors, club members and our community to come along • The club hosts a sponsors and volunteers evening on Grand Final night, this year it was attended by 80 sponsors and volunteers	☒ Yes (1) ☐ No (0)	

• We cannot engage with the schools being school holidays, however sourcing the ball children is another area we can engage with school aged children. This year we had 35 ball children • There are many members of the CALD community who come to the event to engage with players from their home countries		
Calendar/market fit for Latrobe City Calendar of Events		
Great timing. No conflicting events	**Poor**	☐ 1
	Good	☐ 2
	Excellent	☒ 3
Are there other activities/programs included in the proposal that have not been mentioned previously? If so, please provide details:		

• A native Australian animals afternoon is held in which the community are welcome to come along and be a part of. The players love this activity and the chance to get up and close to the animals.
• Two new initiatives were implemented in 2024, both were well received by players, support crew and officials:
  ○ Sign in night at the Gippsland Aquatic Centre
  ○ Welcome event at the Gippsland Regional Arts Centre with a traditional smoking ceremony
• We host the Australian Open qualifying rounds on the last two days of the event. Having these rounds ensures players who may lose early in the week, continue to stay on in the region, train here and play the AO qualifiers before going back to Melbourne Park
• The club hosts a BBQ dinner night for players, support crew and coaches		

Please provide details on any other activities, programs or information and any further information below in regard to this event application		
Nil		
Grading guide: 0 – 6 = GOOD, 7 – 12 = V GOOD, 13 and above = EXCELLENT	**Score**	**17/20**
STRATEGIC GOALS / FOCUS		
Does the event support the following strategic goals:		
Adding to our region's Economic prosperity	☒ Yes ☐ No	
Being complementary to community members and groups	☒ Yes ☐ No	
Increasing the regions image and visibility	☒ Yes ☐ No	
IDENTIFY KEY ISSUES / BENEFITS		
Issues:	• Budget shows a small profit, which is re-invested back into the Club	
Benefits:	• Long running major event – great profile amongst the local and tennis community • High economic impact and ROI	

RECOMMENDATION

Taking the above application into consideration, it is recommended to proceed with this proposal.

Recommended funding allocation: $15,000

These recommendations align with the **Latrobe City Events & Tourism Strategy 2018–2022:**

1. **Increase Visitation**

Through developing major destination attractions, experiences, and hallmark events. By leveraging events as a catalyst for tourism growth through a diverse year-round calendar of events.

2. **Increase Length of Stay and Visitor Spend**

By stopping passing through traffic and convert day trippers into overnight stays. Via increased spend through value-adds and the packaging of events and tourism experiences.

3. **Increase Destination Profile**

Through brand development, destination and event marketing and PR. By prioritising digital and social media and collaboration with regional, state, and national partners.

4. **Promote Community Connectiveness**

By encouraging community support. Through participation in events and tourism initiatives.

It also supports the Latrobe City Council Plan 2021 - 2025 objectives:

1. **Creative**
   Promote economic growth and job creation through events and recreation related tourism capitalising on our arts, cultural and sporting facilities.

2. **Healthy**
   - Continue to position Latrobe City for major sporting events that are accessible and inclusive for all our community.

3. **Connected**
   - Promote ongoing community engagement activities and work in partnership with our community focusing on promoting leadership, resilience, creative and forward-thinking initiatives.
   - Promote our role as Gippsland's Regional City to support economic growth and events programming, cultural events and recreation and sporting attractions.
   - Connect people facing barriers to opportunities in education, recreation, sport, culture, and the community.

OPENING ITEM FOR COUNCIL MEETING AGENDA

PURPOSE

To present options for an opening agenda item at Council Meetings, in response to a resolution adopted at the Council Meeting held on Monday, 4 March 2024.

EXECUTIVE SUMMARY

- The practice of reading of the Lord's Prayer at the start of Latrobe City Council Meetings was ceased on legal advice and will not be recommenced.
- Latrobe City Council (Council) is established under Victorian legislation. The *Local Government Act 2020* both sets and limits Council's functions and powers. Council does not have the power to include the Lord's Prayer (or other religious practices) in Council Meetings, whether as a matter of informal practice or by formal inclusion in the Governance Rules.
- At the Council Meeting held on Monday, 3 July 2023, a resolution was adopted:

  That Council receives a report at a future Council meeting presenting information and options for the potential inclusion of a Councillor statement of commitment or a time of silent reflection in Council meetings.
- A report was brought to the meeting held on Monday, 4 March 2024 and a further resolution was adopted:

  That Council defer consideration of this matter to a future Council meeting to enable the inclusion of additional options as detailed in the original notice of motion that was endorsed by Council at July 2023 Council Meeting as follows.

  That Council receives a report at a future Council meeting presenting information and options for the potential inclusion of a Councillor statement of commitment or a time of silent reflection in Council meetings.

  The deferred report should present a proposal to undertake further community consultation on the options presented to Council.
- This report provides options for the potential inclusion of a Councillor statement of commitment. The options include:
  - that each Councillor read their own statement of commitment
  - that the Mayor read a statement of commitment on behalf of the Council
  - different text options for any statement of commitment
- This report provides the option of a time of silent reflection in Council meetings.

- This report also presents a proposal to undertake further community consultation on the options presented to Council.

OFFICER'S RECOMMENDATION

That Council note and receive the information in this report.

BACKGROUND

Following a detailed review early last year of Council's use of the Lord's Prayer in the opening of Council Meetings, this practice has been discontinued.

Unlike the Victorian and Australian Parliament, the Latrobe City Council (Council) is established under legislation. This means that Council's powers and functions are both set and limited by the *Local Government Act 2020*. Specifically, Council's role is 'to provide good governance in its municipal district for the benefit and wellbeing of the community' and its powers are connected to this role.

This role does not extend to using the Lord's Prayer in Council Meetings, whether as a matter of informal practice or by formal inclusion in the Governance Rules. This principle applies to the use of any other religious prayer or practice in Council Meetings. Similarly, other legislation, including the *Equal Opportunity Act 2010*, limits what Council can and cannot do. As such, the inclusion of a Lord's or other religious prayer is not an option that can be considered as part of this report.

The detailed review commenced with seeking legal advice which was the basis for the decision to discontinue the inclusion of the Lord's Prayer in the Council Meeting agenda. This detailed review included benchmarking of the practices of other Victorian councils which were presented to a Councillor Briefing in March 2023. The briefing report noted a variety of actions, including continued use of a prayer in some format, a Councillor declaration/affirmation or statement of commitment, a diversity statement and a time of reflection.

After reviewing potential options and conducting benchmarking, Officers presented a report at the Councillor Briefing held on Monday 21 August 2023, discussing various meeting opening methods with examples of existing openings used by other Victorian councils. It contained a more detailed analysis of three options, namely a statement of commitment, time of silent reflection and no opening at all.

Councillors expressed an interest in including a statement of commitment at the opening of Council Meetings, with a focus on leadership and governance, diversity and a link to Council priorities including the Community Vision.

ANALYSIS

Options

As a result of the information gathered over the last year, the following options are presented for the consideration of Councillors that the formal agenda include an item at which:

1. each Councillor has the opportunity to make statement of commitment or prayer, noting the additional time that this would add to the meeting's duration and that Council cannot direct any individual Councillor to do or say something.
2. the Mayor on behalf of all Councillors reads a statement of commitment with the text to be agreed by Council resolution.
3. Councillors undertake a time of silent reflection.

There is also the option to have no item.

Statement of commitment

Councillors may wish to adopt a Statement of Commitment as an opportunity for Council to reiterate the importance of good governance and that their focus is on decision-making in the best interests of the community they serve.

Given that any Statement of Commitment needs to be meaningful to Councillors, Officers present the above options for consideration but note that there are infinite possible statements which would achieve a similar purpose. The examples below draw on the role of a Council as set out in section 8(1) of the *Local Government Act*, community diversity and the Council Vision.

Options for the text of a statement of commitment on behalf of the Council with different options for focus and tone, as follows:

1. As Councillors we are committed to working towards a shared vision that supports the aspirations of the Latrobe City community. We pledge to uphold the principles of good governance in making informed decisions that serve the best interests of our community.
2. Latrobe City Council takes pride in its diverse and inclusive community. As Councillors, we are committed to working towards a shared vision of inclusivity and equitable diversification that supports a connected and resilient community. We pledge to uphold the principles of good governance in making informed decisions that serve the best interests of our community.
3. Latrobe City Council takes pride in its diverse community. As Councillors, we are committed to working towards a shared vision that supports inclusivity and community aspirations. We pledge to uphold the principles of good governance in making informed decisions that serve the best interests of our community.
4. At Latrobe City Council, we celebrate the richness of our diverse community. As Councillors, our commitment is one of realising a shared vision that champions inclusivity and embraces the aspirations of our vibrant community. We pledge to uphold the principles of good governance, ensuring that the decisions we make are made with informed judgment and are dedicated to advancing the best interests of our community.
5. At Latrobe City Council, our strength lies in our diverse and inclusive community. As Councillors, we commit ourselves to realising a shared vision of inclusivity and equitable diversification, fostering a connected and resilient community. We stand united in our pledge to uphold the principles of good governance, ensuring that decisions are well-informed and guided by the best interests of our community.

Proposal for community consultation

Consultation with the community could be undertaken through the “Have Your Say” website over a four week period. In order to focus community feedback, all options would be presented to allow the community to provide feedback on the various options presented in this report – i.e. no agenda item, silent reflection, and the proposed opening statement options. An option to vote on preferred option (e.g. simple voting button) could also be used to collect quantitative data.

Consistent with the legal advice, the Lord’s Prayer is not an option that can be presented to the community as part of the consultation.

It is Officer’s view that an opening agenda item is the opportunity for Councillors to demonstrate their commitment to the community and it is the responsibility of Councillors to decide what best reflects their collective commitment to the community through an opening statement and therefore Officers do not recommend any community consultation.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
STRATEGIC Concern from the community regarding content of any new meeting opening.	**Low** *Possible x Insignificant*	Ensuring that the decision is transparent and clearly explained in reports and in Council meeting.

CONSULTATION

Reports were presented to Councillor Briefings in March and August 2023, and January and March 2024 for Councillors to consider and provide feedback on available options.

The Governance and Engagement and Customer Focus teams have liaised as to appropriate suggested phrasing for the statement of commitment.

Community consultation is not required to implement one of the options above. It could be undertaken at Council’s direction, noting that the Lord’s Prayer will not be an option presented for consultation.

COMMUNICATION

No communication has been undertaken in relation to this report other than as part of the consultation referred to above.

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

An opening item could be used to make a positive statement to the community regarding Council's resolve to maintain good governance or focus Council on the community they serve.

Cultural

An opening item could be used to make a positive statement to the community regarding Council's resolve to maintain good governance or focus Council on the community they serve.

Health

Not applicable.

Environmental

Not applicable.

Economic

Not applicable.

Financial

Not applicable.

Attachments

Nil

URGENT BUSINESS

9. 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

DEVELOPMENT OF A LATROBE CITY TRANSPARENCY HUB

PURPOSE

To respond to a resolution adopted at the Council Meeting held on Monday, 3 July 2023 regarding the feasibility of developing a Transparency Hub for Latrobe City Council.

EXECUTIVE SUMMARY

- Transparency in local government requires that the decision-making process of Council be conducted openly with information made freely and proactively available to the community.
- At the Council meeting held on Monday, 03 July 2023, a motion was adopted requesting that a future report be presented exploring the feasibility of the design and establishment of a Transparency Hub to feature on the Latrobe City Council website that includes at least 'Councillor meeting attendance, voting patterns, expenses and attendance at conferences and committees as well as the capital works program, pet registration, financial performance, community grants and contracts greater than $200,000'.
- Latrobe City Council values transparency and accountability in its decision-making, administrative and management practices. Council's Public Transparency Policy sets out the minimum information that will be published and/or available upon request to the community. In addition, Latrobe City Council presents detailed reports on finance, risk, compliance and audit findings to the Audit and Risk Committee and the Victorian Auditor General which is also shared with the public.
- Latrobe City Council currently stores and shares information with the community in a variety of formats and through various public reports. Access to this information could be made easier by making it extractable into a common format and consolidating it into a single location on the existing Council website.
- A Transparency Hub on the Latrobe City Council website could be achieved via lower or higher technical (and low or higher cost) options.
- Some Councils provide *open data* – essentially raw data made available in a common, usable format that anyone can access, use freely and share.

- This report shows that the costs and resources required to establish and operate a technology-based, open data hub would require significant reprioritisation of Councils financial and human resources for its initial development and release and require ongoing maintenance.
- Council could achieve the objectives of strengthening transparency and accountability at a more economical cost by providing the proposed (and any other) information, in a consolidated, easy-to-access format. The data could be regularly updated and hosted in a dedicated location on Council's website.

OFFICER'S RECOMMENDATION

That Council:

1. **Receive and note this report in relation to the feasibility of the development of a Transparency Hub for Latrobe City Council.**
2. **Approve Officers to continue to consolidate information made available to the community via the existing Latrobe City Council website; and**
3. **Consider, as part of the 2025/26 Budget, funding for a cost-effective technical solution to consolidate information on a Transparency Hub on Council's website.**

BACKGROUND

Latrobe City Council values transparency and accountability in its decision-making, administrative and management practices. While there are ongoing efforts to support public access to information, there are always opportunities to increase transparency.

At the Council Meeting held on Monday, 03 July 2023, a motion was adopted that:

- *Council receives a report at a future meeting exploring the feasibility in relation to the design and establishment of a Transparency Hub to feature on the Latrobe City Council website.*
- *The report should consider costs, resources and the information to be available on a Transparency Hub including, but not limited to, Councillor meeting attendance, voting patterns, expenses and attendance at conferences and committees as well as the capital works program, pet registration, financial performance, community grants and contracts greater than $200,000.*

A Transparency Hub would be an example of the concept of *open data*, which is data that anyone can access, use and share, thereby providing an additional opportunity for transparency with the wider community. Informing this report is a sample of four existing open data sites maintained by the City of Ballarat, City of Casey, City of Frankston and City of Melbourne.

Open data sites are becoming increasingly prevalent and are being developed and used by Federal, State and local governments. Information that is contained within datasets is not only viewable on the site, but also able to be analysed graphically and exported by the user in some form. Open government data has also been shown to strengthen transparency and accountability, and support business and service development more tailored to the community.

Data Vic, which is owned by the State Government of Victoria and is administered by the Victorian Department of Premier and Cabinet, has an extensive range of 5,833 data sets available for access by the community, including 458 that are drawn from various open data sites operated by councils in Victoria.

A lower cost option that would demonstrate Council's ongoing commitment to and make an improvement to transparency would be to create a dedicated transparency section of Council's website, holding information of interest to the community.

ANALYSIS

Access to data held by Latrobe City Council

Latrobe City Council currently has a large amount of information stored in various locations and accessed via a number of methods.

The types of data noted in the Council resolution are, in most instances, already available in various formats including the Annual Report, Council meeting agendas and reports, the annual budget. Many of those highlighted are also subject to oversight and approval of the Audit and Risk Committee, including Financial statements, Councillor expenses, Councillor attendance at conferences, all of which are publicly available documents and are presented to Council and published on the website.

However, the analysis below demonstrates that there is room to improve access to this information within existing systems and resources. The table below shows:

- That data is currently stored across different systems.
- The readiness for use in open data format (i.e. as a data set)
- Whether the information is currently available for public access in some form.

Data	Storage of Data	Data set availability	Public access to data
Councillor Meeting Attendance	F: Drive – Governance	Currently recorded in an excel spreadsheet.	Council Meeting Minutes
Voting Patterns	Not currently recorded.	Data could be collated from Council Meeting Minutes.	Council Meeting Minutes
Councillor Expenses	FinanceOne	Data is currently modelled and available in the LCC warehouse	Council website Annual Report
Attendance at Conferences	Various locations e.g. FinanceOne	Process may need to be designed to capture data in a location the LCC warehouse can access.	Not available unless requiring Council report
Committees	Various locations	Not available in current form	Membership but not attendance is on Council's website
Capital Works	Combination of systems.	Primarily available, would need some expansion.	Not publicly available
Pet Registration	Pathway	Data is currently modelled and available in the LCC warehouse.	Not publicly available
Financial Performance	FinanceOne	Data is currently modelled and available in the LCC warehouse can access.	Annual Report includes audited Annual statement of Accounts
Community Grants	SmartyGrants	Not currently modelled, project would need to be undertaken with the application to model the data and make available.	Grant recipients are published on website but dollar value is not.

Data	Storage of Data	Data set availability	Public access to data
Contracts >$200,000	Vendor Panel	Not currently modelled, project would need to be undertaken with the application to model the data and make available.	Not publicly available

The City of Frankston has advised that data storage and management remain an ongoing issue. The intention is to ultimately have all data stored and managed in a single location however it has been acknowledged this is a significant piece of work that will take time to complete. As a result, there is an accountability matrix detailing which teams “own” the relevant data and are responsible for uploading it to the site, either quarterly or more regularly depending on its nature.

This ongoing development is reflected in the City of Frankston 2021-2025 Council Plan through the inclusion of the following goals for 2023/2024:

- Enhance the Transparency Hub system to improve customer experience, trust and confidence in Council.
- Proactively increase access to Council’s open data to maximise new opportunities for release of records.

Given the significant investment and time it would take to develop and implement an open data Transparency Hub model, Officers have considered additional options that could achieve the intended outcome and build trust with the community by making this information easy to find via the existing website.

Further information could be added with a focus on data supporting transparent governance and valued by the community (including business and residents). This could be the subject of community consultation and matched with Council-held data.

Open Data Transparency Hub Model

Financial Commitment

There is currently no budget allocation to support the development of a Transparency Hub and the actual costs will differ based on each Councils unique internal systems environment and the accessibility of relevant data.

As points of reference, the City of Frankston spent approximately $300,000 in the development of their Transparency Hub and, more recently, Mornington Peninsula Shire, at their March meeting, considered a report regarding the potential implementation of a Transparency and Integrity Hub.

Based on benchmarking that was undertaken, the development costs were indicated as being between $200,000 and $350,000, with ongoing licencing and support costs moving forward and the Transparency and Integrity Hub has been referred to the 2024/2025 Budget process for consideration.

In addition to the costs associated with the implementation of a Transparency Hub, there are also ongoing costs in its continuing development and operation.

Officers have spoken to other councils and a third-party provider with total ongoing costs estimated to be more than $100,000 per year with ongoing licensing and support around 10-20% of the initial cost, plus staffing. For example, the City of Frankston allocated $28,000 in its 2023/2024 budget for ongoing implementation of the Transparency Hub. However, these costs did not include additional staff they may have already employed to manage the collation, refinement and upload of data.

Mornington Peninsula Shire estimated the ongoing costs of their Transparency and Integrity Hub as being between 10-20% per annum of the implementation cost.

Given the significant investment in the initial development of a Transparency Hub and its ongoing operation, more detailed scoping of the actual costs would need to be undertaken. Based on what is found, appropriate allocations would need to be made in future budgets for both the technical work and the additional resources that may be required.

Resource Commitment

One of the key requirements for a Transparency Hub is ensuring that sufficient resources are available on an ongoing basis to update and maintain datasets on a regular basis. For example, while it was originally intended that data on the City of Frankston Transparency Hub would be uploaded and maintained by the relevant areas across the organisation, this has not yet eventuated, and it is currently managed by a dedicated resource.

As shown below, data is currently located in various locations and formats across the organisation and there would be significant work required to gain a more detailed understanding of what is available and how it might be converted into a useable form. Accessing much of the data specifically noted in the July resolution would not be a straightforward process and would require additional manipulation to get it to a useable state that could be made publicly available.

In the event that Latrobe City was to develop a similar Transparency Hub, it is likely that additional staff would be required to oversee its development and operation and there may also be additional impacts across the organisation in the maintenance and upload of the necessary data.

In order to sustain focus and investment in a Transparency Hub, it would be beneficial to include a specific reference to it in future Council strategies. Council would also need to balance the resourcing required with other priorities and services.

Transparency Hub – Centralised Website Hub

As a starting point, a cheaper and more immediate option that could enhance transparency would be to provide the information requested in a regular and consolidated, easy-to-access location. This could be managed within existing resources and, once the agreed data sets are collected and collated manually, they could be published to the Council website on a quarterly or annual basis. This would serve to provide the agreed information in a single location, thus meeting the goal of improving transparency.

Based upon the research that has been undertaken, this option would be a faster and more cost-effective alternative given the significant time, financial and resource investment involved in developing an open data Transparency Hub.

Additionally, gaining such an understanding of the data that Council holds, its locations and how it might be made available in an easily accessible format would lay the foundation for the development of an open data Transparency Hub, should this be a project that is pursued in the future.

Mornington Peninsula Shire considered similar options of improving the searchability of their website, creating a dedicated transparency and integrity section on their website that would collate and centralise information of community interest into a single location, and using various other channels to improve communication with the community around transparency.

In comparison to the costs and resources required to develop a full Transparency Hub, it is estimated that the initial costs of exploring this simpler option around using the existing website may cost approximately $60,000 with annual costs thereafter dependent on the solution that is employed.

Open Data Sites

As part of the preparation of this report, research was undertaken as to the data that is available in a sample of four existing data exchange sites maintained by the City of Ballarat, City of Casey, City of Frankston and City of Melbourne.

As of 31 January 2024, each of these sites contain a series of bespoke themes behind which a number of datasets are located, which are summarised as follows:

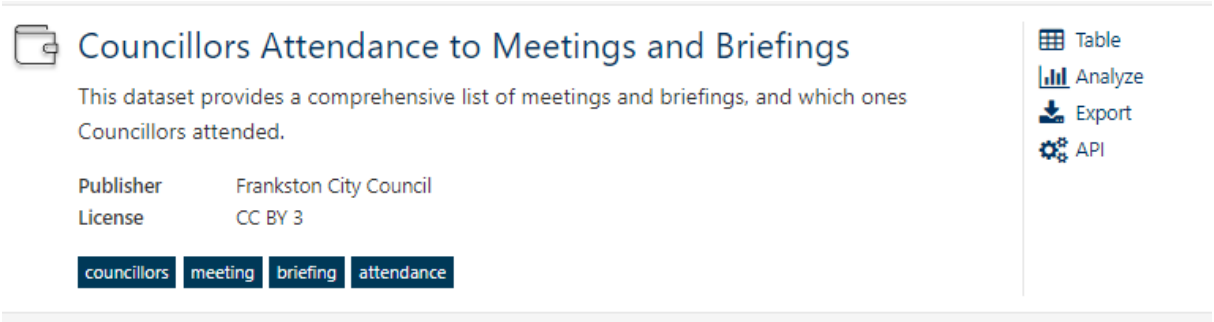
Municipality	Categories (Number of Datasets)
City of Ballarat	• Tourism & Economy (14 datasets) • Employment and Education (5 datasets) • Roads & Planning (25 datasets) • Transport (15 datasets) • Environmental (24 datasets) • Health (10 datasets) • Council Service Performance (20 datasets) • Community (10 datasets) • Sports and Recreation (10 datasets) • Assets and Infrastructure (6 datasets) • City Services (1 dataset) • Heritage (1 dataset) • Urban Planning (1 dataset)

Municipality	Categories (Number of Datasets)
City of Casey	• Assets (52 datasets) • Community (91 datasets) • Cultural (14 datasets) • Economic (15 datasets) • Education (11 datasets) • Environmental (35 datasets) • Events (1 dataset) • Planning and Building (22 datasets) • Sensor loT (4 dataset) • Transport (34 datasets) • Insights (6 datasets) • Community Build App – Neighbourhood Adviser (4 datasets) • Community Build App – Public Artwork Discovery (2 datasets) • Community Build App – Dynamic Digital Art (1 dataset)
City of Frankston	• Asset Management (4 datasets) • City Planning and Building (5 datasets) • Climate Change Action (1 dataset) • Community Health and Safety (8 datasets) • Council Governance, Administration and Finance (31 datasets) • Economic and Community Development (3 datasets) • Parking and Transport (3 datasets) • Sport and Recreation (2 dataset) • Water, Waste and Recycling (1 dataset)
City of Melbourne	• Transportation (51 datasets) • Sensors (41 datasets) • Business (37 datasets) • Environment (67 datasets) • People (39 datasets) • Property (60 datasets) • City Council (59 datasets)

As shown above, there are a broad range of datasets that are maintained and made available to the community via each site, noting that new datasets are being added to each site regularly.

Items currently publicly available via the Latrobe City Council website, included in the Annual Report or made available on request are highlighted in the attachment though this may not be at the same level of detail as that on the Transparency Hub.

Each of these datasets then provide a series of options for the viewer to interact with and utilise the data, as shown below:



The City of Frankston is able to quantify the interactions that the community have with each of the various datasets that are available, and it has been noted that those relating to Councillors have proven to be the most popular since the Transparency Hub went live.

Alignment with Latrobe City Council strategic priorities

While there is no specific reference to open data or the creation of a Transparency Hub, one of the key capabilities, under systems, in the Latrobe City Council Plan 2021-2025 states:

Focus on continuous improvement to systems, applications and processes to support provision of timely information and service to the community.

The creation of a Transparency Hub for Latrobe City would certainly provide a mechanism to improve the provision of information to the community, however it would also be a significant commitment, both financially and in resources, as it would take time to properly plan, implement and maintain. For example, the Transparency Hub created by the City of Frankston took four years to come to fruition, from 2018 until it became operational and available to the community in 2022.

Next steps

Given the importance that is already placed on transparency by Council, Officers believe that the research that has been undertaken demonstrates that there are opportunities to build upon and enhance how information of interest to the community can be made freely and proactively available.

While this could be achieved by either of the methods outlined previously, the option of improving the availability of information on the Council website offers a more cost effective option in terms of the commitment of funding, resources and time that would be required to do so.

Moving forward, the next step in this process will be to provide a report to a future Council Meeting recommending that Officers continue to undertake investigations into the option of utilising improvements to the existing Council website as a more cost effective option to make existing data more readily available to the community, noting that this will still be subject to the allocation of funding through the budget process.

While this would still be a significant piece of work, the manual collation of this data could be undertaken by Officers, noting that it would likely require the involvement of multiple areas across the organisation.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
SERVICE DELIVERY Inability to deliver and maintain an open data site that is relevant and useable for the community.	**Medium** *Possible x Moderate*	Ensure that any open data site contains data sets of interest to the community and each data set is able to be regularly reviewed and updated.
FINANCIAL Incurring significant costs and use of resources in the development and implementation of an open data site.	**Medium** *Possible x Major*	Ensure that the development of any open data site is well scoped and delivery outcomes are clear, including costs and resources of its ongoing operation.
STRATEGIC Limited connection to existing strategic priorities.	**Medium** *Possible x Moderate*	Council reiterates importance of the project through key strategic plans and messages.

CONSULTATION

As part of the research into this report, a meeting was held with the Smart Cities Business Analyst from the City of Frankston to gain insight into the development, implementation and operation of their Transparency Hub.

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

A Transparency Hub could provide the opportunity to make available social indicators, such as the City of Melbourne who make data relating to their liveability and social indicators available to the community.

Cultural

Not applicable.

Health

A Transparency Hub could provide the opportunity to make health related data available, such as the City of Casey making data relating to Emergency Food Relief Groups and Health Management Enquiries available to the community.

Environmental

A Transparency Hub could provide the opportunity to make available data relating to the environment, such as the City of Ballarat providing a range of environmental data including Air Quality Observations, Council Emissions, Trees and Noise among many others.

Economic

Depending on the scope of data included, there could be new and existing business opportunities, as well as social policy solutions identified by non-Council users of open data.

Financial

As stated above, there is no current budget allocation for the development and ongoing maintenance of a Transparency Hub.

Attachments

Nil

QUARTERLY BUDGET REPORT - MARCH 2024

PURPOSE

To provide Council with the financial results for the third quarter of the 2023/2024 financial year in accordance with the provisions of Section 97(1) of the *Local Government Act 2020*.

EXECUTIVE SUMMARY

- This report meets the requirements of the *Local Government Act 2020* ("the Act") to present a quarterly budget report to Council as soon as practicable after the end of each quarter of the financial year.
- The report shows that Council overall is operating within the parameters of its adopted budget with most variances relating to carry forward funds from the previous year and the timing of revenue and expenditure within the current financial year.
- Council seeks to achieve a balanced budget based on a cash basis and the surplus amounts shown in the Income Statement are primarily related to unbudgeted capital grants announced after the adoption of the budget.
- The attached budget report forecasts an income statement surplus result on an accrual basis for the full financial year of $15.3M which is a favourable variance of $6.6M to the original budget. Generally, a surplus result is required to be generated to enable Council to invest in new assets and to upgrade and expand existing assets along with enabling Council to repay its borrowings.
- The forecasted surplus result in 2023/2024 is made up of an expected increase in income of $24.8M and additional expenses of $18.2M.
- The forecasted increased income is mainly a result of timing of recognition and additional unbudgeted capital grants together with additional interest on investments as a result of higher interest rates and cash on hand available for investment.
- The forecast additional expenses are primarily a result of funding carried forward relating to works funded but not completed in 2022/2023 together with unbudgeted government grants to be received in 2023/2024 and recognition of loss on disposal of assets, which relates to residual infrastructure asset balances retired as part of the capital works program.
- The report is provided for Council's information.

OFFICER'S RECOMMENDATION

That Council receive and note the Budget Report for the Quarter ended 31 March 2024, prepared in accordance with the requirements of the Local Government Act 2020.

BACKGROUND

Under Section 97(1) of the Act, as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public. This report ensures compliance with this legislative requirement.

ANALYSIS

The attached report, as at 31 March 2024, is provided for the information of Council and the community. The financial report compares budgeted income and expenditure with actual results as at the end of the third quarter of the financial year. The key issues of note are:

- The “Comprehensive Income Statement” report forecasts a surplus result for the full financial year of $15.3M which is a favourable variance of $6.6M to the original budget. This result is due to a number of variances with a forecast increase in income of $24.8M and additional expenses of $18.2M. The increased income is mainly a result of capital grants, largely due to unbudgeted grants announced after the budget was developed together with variances related to the recognition of funds that were budgeted in the 2022/23 financial year, together with additional interest on investments as a result of higher interest rates and cash on hand. The forecasted additional expenses are primarily a result of funding carried forward relating to works funded but not completed in 2022/23, together with expenditure associated with unbudgeted government grants to be received in 2023/24 and recognition of loss on disposal of assets, which relates to residual infrastructure asset balances retired as part of the asset renewal program.
- The “Balance Sheet” shows that Council maintains a strong liquidity position with $138.4M in current assets compared to $27.8M current liabilities (a liquidity ratio of 5:1).
- The “Statement of Cash Flows” shows that Council has $115.2M in Cash and Financial assets (i.e. investments). The level is higher than anticipated due to carry forward funds from previous financial years including capital works, reserves funds and government grants advanced earlier than expected.
- The “Statement of Capital Works” shows a forecast expenditure of $64.9M compared to the budget of $43.8M. The increase is mainly due to funds carried forward from 2022/2023 and additional government funding received for various programs including Roads Program, Regional Car Parks Fund and Local Roads and Community Infrastructure program (LRCI).
- The “Financial Performance Ratios’ indicate that Council remains within the industry expected ranges.

Further details on these and other variations are provided in the attached report.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Non-compliance with the requirements of the *Local Government Act 2020*.	**Low** *Unlikely x Minor*	Timely presentation of report.

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

Not applicable.

Cultural

Not applicable.

Health

Not applicable.

Environmental

Not applicable.

Economic

Not applicable.

Financial

A strong financial position allows Council to adapt and respond to challenges as they arise.

Attachments

1. March 2024 Quarterly Finance Report

10.2

Quarterly Budget Report - March 2024

1 March 2024 Quarterly Finance Report 804

Quarterly Budget Report

March 2024

Quarterly Budget Report
March 2024

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March 2024 Quarterly Budget Report Summary

KEY ISSUES

The attached report provides the overall outcomes to the end of the third quarter of the 2023/24 financial year together with forecasted year end results compared to budget. The key issues of note are:

- The “Comprehensive Income Statement” report forecasts a Surplus result for the full financial year of $15.3M which is a favourable variance of $6.6M to the original budget.
- The “Balance Sheet” shows that Council maintains a strong liquidity position with $138.4M in current assets compared to $27.8M current liabilities (a liquidity ratio of 5:1).
- The “Statement of Cash Flows” shows that Council has $115.2M in Cash and Financial assets (i.e. investments). The level is higher than anticipated due to carry forward funds from previous financial years including capital works, reserves funds and government grants advanced earlier than expected.
- The “Statement of Capital Works” shows a forecast expenditure of $64.9M compared to the budget of $43.8M. The increase is mainly due to funds carried forward from 2022/23 and additional government funding received for various programs including Roads Programs, Regional Car Parks Fund and Local Roads and Community Infrastructure program (LRCI).
- The “Financial Performance Ratios’ indicate that Council remains within the industry expected ranges.

BACKGROUND

Under the provisions of the *Local Government Act 2020 Section 97 (1) (the Act)*, As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.

COMPREHENSIVE INCOME STATEMENT ANALYSIS

Overview

The surplus and deficit amounts shown in the Comprehensive Income Statement year to date and full year budget columns are largely a result of capital grants and non-cash items. Ideally a surplus result would be generated to enable Council to invest in new assets, upgrade and expand existing assets, and repay borrowings. On a cash basis Council budgets for a break even result, with any cash remaining at year end required to meet current and future liabilities together with current commitments. Therefore any variances to budget in the operating result are generally caused by changes in levels of grants and monetary contributions for capital works, and expenditure that is funded from revenue that has been received in a previous financial year together with variances in non-cash items (e.g. loss on disposal of property, infrastructure, plant and equipment).

The “Comprehensive Income Statement” report forecasts a surplus result for the full financial year of $15.3M which is a favourable variance of $6.6M to the original budget. This result is due to a number of variances with a forecast increase in income of $24.8M and additional expenses of $18.2M. The increased income is mainly a result of capital grants, largely due to unbudgeted grants announced after the budget was developed together with variances related to the recognition of funds that were budgeted in the 2022/23 financial year, together with additional interest on investments as a result of higher interest rates and cash on hand. The forecasted additional expenses are primarily a result of funding carried forward relating to works funded but not completed in 2022/23, together with expenditure associated with unbudgeted government grants to be received in 2023/24 and recognition of loss on disposal of assets, which relates to residual infrastructure asset balances retired as part of the asset renewal program.

March 2024 Quarterly Budget Report Summary

Year to date

The year to date result shows an operating position of $42.0M surplus which is $18.0M favourable to budget. The key items that make up this variance are as follows;

- Grants - Capital - ($16.4M favourable) is due to a number of unbudgeted capital grants as a result of the timing of recognition of grants received in previous financial years and funding that was not known when the budget was developed including Regional Car Parks Fund $5.2M, Local Roads and Community Infrastructure Program $1.7M, Landslip Remediation $6.7M, Traralgon Railway Conservation Reserve Large Dam rehabilitation $0.8M, Free Public Wi-Fi Services program $0.3M, Sporting Oval Drainage $0.4M, Road Rehabilitation Program $0.3M, Mathison Park Plan Space $0.3M and Logistics Precinct and Intermodel Freight Terminal $0.3M.
- Grants - Operating - ($2.2M favourable) is mainly due to higher than expected Preschool grant funding $1.4M, School Readiness Program $0.6M, and an unbudgeted grant for Startup Gippsland $0.1M.
- Other Income - ($2.9M favourable) is primarily due to increases in interest rate yields and additional cash holdings on council investments that were not anticipated when the budget was developed $2.0M, additional interest on rates revenue $0.3M and unbudgeted Capital Works reimbursements $0.4M.
- Materials and Services - ($4.5M unfavourable) is mainly due to an error in the budget timing of the Hard Waste Collection $1.1M, Materials Recovery $0.5M and Domestic Rubbish Collection $0.3M, Capital Works programs $1.4M, together with unbudgeted expenditure incurred as a result of funding carried over from previous years and government grants not known when the budget was developed; Business Improvement Projects $0.5M, Emergency Management $0.2M and School Readiness Program $0.2M.

Full year forecast

The full year forecasted result shows an operating surplus of $15.3M which is a $6.6M favourable variance to the adopted budget. The key items that make up this variance are as follows;

- Grants – Capital ($16.4M favourable) - is due to a number of unbudgeted capital grants as a result of the timing of recognition of grants received in previous financial years and funding that was not known when the budget was developed including Landslip remediation $8.4M, Regional Car Parks Fund $2.6M, Local Roads and Community Infrastructure Programs $1.2M, National Building Blackspot Program $2.4M, Traralgon Railway Conservation Reserve Large Dam rehabilitation $0.8M, Logistics Precinct and Intermodel Freight Terminal $4.2M, Free Public Wifi $0.3M, Drainage Upgrades $0.4M and other various grants. This is partially offset by an unfavourable timing variance for multi year projects with funding for the Traralgon Indoor Multi Sports Hall $2.9M and Multi Use Pavillion Traralgon Rec Reserve $1.6M which is now expected to be recognised in the 2024/25 financial year.
- Grants - Operating ($3.7M favourable) - is mainly due to additional 2023/24 annual Victoria Grants Commission Financial Assistance Grants (FAGS) ($2.3M which includes an adjustment related to the 2022/23 financial year of an additional $0.7M) and Pre-School programs $1.3M together with an unbudgeted grant for Startup Gippsland $0.1M.
- Other Income - ($3.7M favourable) - is primarily due to increases in interest rate yields on Council investments that were not anticipated when the budget was developed $2.7M and additional interest on rates revenue $0.4M, additional GRISS revenue $0.1M and unbudgeted Capital Works reimbursements $0.1M.
- Employee costs - ($1.6M unfavourable) - the additional salaries and wages associated with funding carried over from previous years and unbudgeted government grant funding to be received in the current year including Family Services programs $1.4M and Emergency Management/Community Recovery $0.4M.
- Materials and Services ($10.8M unfavourable) - is mainly due to unbudgeted expenditure incurred as a result of internal and external funding carried over from previous years and 2023/24 government grants not known when the budget was developed including Capital Works programs $1.9M, Preschool programs $1.0M, Emergency Management $0.5M, Leisure Facilities $0.3M, Waste Services $1.7M, February 2024 Emergency Works Trees on Affected Roads $1.9M, Building Maintenance $0.3M, Street Sweeping $0.2M, Sporting and Recreation Reserves $0.3M, IT Software Licensing Fees $0.3M, Business Transformation Projects $0.6M and Branding Campaign $0.1M.
- Net loss on disposal of property, infrastructure, plant and equipment ($5.0M unfavourable) associated with the retirement of the residual value of assets renewed as part of the capital works program. This process was not allowed for in to the 2023/24 budget due to the uncertainty in identifying the values, however a loss has been forecast in line with historical results to make some allowance for this occurring again in the current year.
- Other expenses ($1.0M unfavourable) - is mainly due to unexpended community grants funds carried over from the 2022/23 financial year to be paid out in 2023/24 including Clean up and Storm Resilience in Gippsland $0.2M,

March 2024 Quarterly Budget Report Summary

Small Town grants $0.2M, Minor Capital Works Grants $0.2M and increased Landfill levies expenditure $0.1M.

BALANCE SHEET

The significant movements in the balance sheet over the third quarter were as follows;

- Cash and Cash Equivalents together with Other Financial Assets (i.e. investments) decrease of $3.9M mainly due to expenditure of funds carried over from prior financial years.
- Trade and Other receivables ($16.2M increase) this is primarily due to the annual rates notices being raised in the first quarter and is part of the normal pattern. This amount will continue to reduce as rate payments are received over the remainder of the year in line with the full payment and quarterly instalment due dates.
- Other Assets ($2.5M decrease) is primarily due to prepayments and accrued revenue as at 30 June 2023 having now been reversed/received in the current financial year.
- Property, Infrastructure, Plant and Equipment ($10.4M increase) total capital expenditure has exceeded depreciation to date.
- Payables ($12.2M decrease) is primarily due to amounts that were outstanding to suppliers as at 30 June 2023 being paid/recognised in the current financial year.
- Unearned income ($10.7M decrease) is primarily due to amounts that were received in advance as at 30 June 2023 having now been recognised in the current financial year.
- Interest-bearing Liabilities ($2.2M increase) due to drawdown of borrowings for the Kernot Hall and Moe Activity Centre projects.

STATEMENT OF CASH FLOWS

The budgeted cash & investments at the beginning of the year was $79.9 million, the actual opening balance was $119.2 million. The additional $39.3 million was largely the result of carry forward funding for capital and operational projects and programs. This included $15.5M of Victorian Grants Commission FAGS funding that was advanced to Council in the 2022/23 financial year, this advance was not factored into the budget calculations. Total Cash and financial assets (investments) as at the end of March stand at $115.2M which represents a net outflow cash movement of $3.9M from the start of the financial year.

STATEMENT OF CAPITAL WORKS

The statement of capital works includes all expenditure that is expected to be capitalised during the financial year. It excludes some amounts which for “Accounting” purposes are not capitalised e.g. Landfill Rehabilitation which is a reduction in a provision liability and other items which are included in operating expenditure.

As at the 31 March 2024 Council had spent $33.3M on capital works mostly on Infrastructure projects $22.7M (including Roads projects $7.9M and Parks, Open Spaces & Streetscapes $5.7M), Plant & Equipment $2.9M and Property (buildings) $7.7M. Full year forecasted capital expenditure is $64.9M compared to the budget of $43.8M. The increase is mainly due to funds carried forward from 2022/23 and additional government funding received for various programs including Roads Programs, Regional Car Parks Fund and Local Roads and Community Infrastructure program (LRCI).

FINANCIAL PERFORMANCE RATIOS

The final part of the report is the Financial Performance Ratios as per the *Local Government Performance Reporting Framework (LGPRF)***.** The results of the financial year to date show that Council is expected to remain within the expected ranges by the end of the financial year. Some of the ratios when measured part way through the year will fall outside the ranges in the year to date figures purely because they are designed to look at an annual result.

COMPREHENSIVE INCOME STATEMENT

For The Quarter Ended 31 March 2024

	NOTE	YTD Actual $'000	YTD Budget $'000	Variance YTD Act/Bud fav/(unfav) $'000	Variance Type (P)ermanent/ (T)iming	Full Year Forecast $'000	Annual Budget $'000	Variance Annual Budget /Forecast fav/(unfav) $'000
INCOME								
Rates and charges	1	93,306	93,445	(139)	T	93,481	93,445	36
Statutory fees and fines	2	2,010	2,040	(29)	P	2,788	2,871	(83)
User fees	3	8,375	7,639	736	P	11,318	10,477	841
Grants - operating	4	11,794	9,569	2,226	P	30,065	26,349	3,716
Grants - capital	5	23,734	7,300	16,435	P	26,412	10,040	16,373
Contributions - monetary	6	324	60	264	P	348	90	257
Contributions - non monetary	7	2,698	3,000	(303)	T	4,151	4,151	0
Other income	8	6,643	3,756	2,887	P	8,454	4,792	3,662
TOTAL INCOME		**148,884**	**126,808**	**22,077**		**177,017**	**152,215**	**24,802**
EXPENSES								
Employee costs	9	44,078	44,927	849	T	63,755	62,123	(1,632)
Materials and services	10	33,779	29,293	(4,485)	P	53,015	42,174	(10,841)
Bad and doubtful debts	11	0	0	0	P	4	4	0
Depreciation	12	25,494	25,275	(219)	T	33,417	33,700	283
Amortisation - intangible assets	13	709	550	(159)	P	949	733	(216)
Amortisation - right of use assets	14	116	136	21	P	155	182	27
Borrowing costs	15	277	406	129	P	378	541	162
Finance costs - leases	16	37	31	(6)	P	47	42	(5)
Net loss/ (gain) on disposal of property, infrastructure, plant and equipment	17	(551)	(420)	131	T	5,000	(0)	(5,000)
Other expenses	18	2,930	2,561	(369)	P	4,966	3,956	(1,010)
TOTAL EXPENSES		**106,869**	**102,760**	**(4,109)**		**161,686**	**143,454**	**(18,232)**
SURPLUS (DEFICIT) FOR THE YEAR		**42,016**	**24,048**	**17,968**		**15,331**	**8,761**	**6,570**

NOTES TO THE COMPREHENSIVE INCOME STATEMENT - Year to Date and Full Year Variances

1. Rates and charges

Year to Date - ($0.1M) Unfavourable

Minor variance.

Full Year - $0.0M Favourable

Minor variance.

2. Statutory fees and fines

Year to Date - ($0.0M) Unfavourable

Minor variance.

Full Year - ($0.1M) Unfavourable

Minor variance.

3. User fees

Year to Date - $0.7M Favourable

Favourable variances to date are mainly due to higher than expected Childcare Fees $0.6M.

Full Year - $0.8M Favourable

Favourable variances are mainly due to higher than expected Childcare Fees $0.8M.

4. Grants - operating

Year to Date - $2.2M Favourable

The favourable variance is mainly due to higher than expected Preschool grant funding $1.4M, School Readiness Program $0.6M, and an unbudgeted grant for Startup Gippsland $0.1M.

Full Year - $3.7M Favourable

The favourable variance is mainly due to additional 2023/24 annual Victoria Grants Commission Financial Assistance Grants (FAGS) $2.3M, (which includes an adjustment related to the 2022/23 financial year of an additional $0.7M) and Pre-School programs $1.3M and an unbudgeted grant for Startup Gippsland $0.1M.

5. Grants - capital

Year to Date - $16.4M Favourable

The favourable variance is due to a number of unbudgeted capital grants as a result of the timing of recognition of grants received in previous financial years and funding that was not known when the budget was developed including Regional Car Parks Fund $5.2M, Local Roads and Community Infrastructure Program $1.7M, Landslip Remediation $6.7M, Traralgon Railway Conservation Reserve Large Dam rehabilitation $0.8M, Free Public Wi-Fi Services program $0.3M, Sporting Oval Drainage $0.4M, Road Rehabilitation Program $0.3M, Mathison Park Plan Space $0.3M and Logistics Precinct and Intermodel Freight Terminal $0.3M.

Full Year - $16.4M Favourable

The favourable variance is due to a number of unbudgeted capital grants as a result of the timing of recognition of grants received in previous financial years and funding that was not known when the budget was developed including Landslip remediation $8.4M, Regional Car Parks Fund $2.6M, Local Roads and Community Infrastructure Programs $1.2M, National Building Blackspot Program $2.4M, Traralgon Railway Conservation Reserve Large Dam rehabilitation $0.8M, Logistics Precinct and Intermodel Freight Terminal $4.2M, Free Public Wifi $0.3M, Drainage Upgrades $0.4M and other various grants. This is partially offset by an unfavourable timing variance for multi year projects with funding for the Traralgon Indoor Multi Sports Hall $2.9M and Multi Use Pavillion Traralgon Rec Reserve $1.6M which is now expected to be recognised in the 2024/25 financial year.

NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances

6. Contributions - monetary

Year to Date - $0.3M Favourable

Favourable variance is primarily due to increased Subdivision revenue $0.2M and Capital Works Local Contributions $0.1M.

Full Year - $0.3M Favourable

Favourable variance is primarily due to increased Subdivision revenue $0.2M and Capital Works Local Contributions $0.1M.

7. Contributions - non monetary

Year to Date - ($0.3M) Unfavourable

Minor timing variance.

Full Year - $0.0M Nil Variance

No variance.

8. Other income

Year to Date - $2.9M Favourable

The favourable variance is primarily due to increases in interest rate yields and additional cash holdings on council investments that were not anticipated when the budget was developed $2.0M, additional interest on rates revenue $0.3M.

Full Year - $3.7M Favourable

The favourable variance is primarily due to increases in interest rate yields on Council investments that were not anticipated when the budget was developed $2.7M and additional interest on rates revenue $0.4M and additional GRISS revenue $0.1M.

9. Employee costs

Year to Date - $0.8M Favourable

Favourable variance is mainly due to a timing variances in Superannuation payments and capitalised wages.

Full Year - ($1.6M) Unfavourable

The additional salaries and wages associated with funding carried over from previous years and unbudgeted government grant funding to be received in the current year including Family Services programs $1.4M and Emergency Management/Community Recovery $0.4M.

10. Materials and services

Year to Date - ($4.5M) Unfavourable

The variance is mainly due to an error in the budget timing of the Hard Waste Collection $1.1M, Materials Recovery $0.5M and Domestic Rubbish Collection $0.3M, Capital Works programs $1.4M, together with unbudgeted expenditure incurred as a result of funding carried over from previous years and government grants not known when the budget was developed; Business Improvement Projects $0.5M, Emergency Management $0.2M and School Readiness Program $0.2M.

Full Year - ($10.8M) Unfavourable

The unfavourable variance is mainly due to unbudgeted expenditure incurred as a result of internal and external funding carried over from previous years and 2023/24 government grants not known when the budget was developed including Capital Works programs $1.9M, Preschool programs $1.0M, Emergency Management $0.5M, Leisure Facilities $0.3M, Waste Services $1.7M, February 2024 Emergency Works Trees on Affected Roads $1.9M, Building Maintenance $0.3M, Street Sweeping $0.2M, Sporting and Recreation Reserves $0.3M, IT Software Licensing Fees $0.3M, Business Transformation Projects $0.6M and Branding Campaign $0.1M.

11. Bad and doubtful debts

Year to Date - $0.0M Nil Variance

No variance

Full Year - $0.0M Nil Variance

No variance

NOTES TO THE INCOME STATEMENT - Year to Date and Full Year Variances

12. Depreciation

Year to Date - ($0.2M) Unfavourable

Asset revaluations in the 2022/23 financial year which were higher than projected in 23/24 budget have resulted in additional depreciation expense to date of $0.2M.

Full Year - $0.3M Favourable

Due to delayed capitalisation expected due to later than expected timing of completion of capital projects in 23/24 budget.

13. Amortisation - intangible assets

Year to Date - ($0.2M) Unfavourable

Higher than expected value of the airspace asset value for cell 6 at Highland Highway landfill.

Full Year - ($0.2M) Unfavourable

Higher than expected value of the airspace asset value for cell 6 at Highland Highway landfill.

14. Amortisation - right of use assets

Year to Date - $0.0M Favourable

Minor variance.

Full Year - $0.0M Favourable

Minor variance.

15. Borrowing costs

Year to Date - $0.1M Favourable

Minor variance.

Full Year - $0.2M Favourable

The favourable variance is due to a lower than expected interest rate and the later than expected and reduced drawdown of borrowings for the Moe Revitalisation Project Stage 2.

16. Finance costs - leases

Year to Date - ($0.0M) Unfavourable

Minor variance.

Full Year - ($0.0M) Unfavourable

Minor variance.

17. Net (gain) / loss on disposal of property, infrastructure, plant and equipment

Year to Date - $0.1M Favourable

Minor variance.

Full Year - ($5.0M) Unfavourable

The forecast variation is associated with the retirement of the residual value of assets renewed as part of the capital works program. This process was not allowed for in to the 2023/24 budget due to the uncertainty in identifying the values, however a loss has been forecasted in line with historical results to make some allowance for this occurring again in the current year.

18. Other expenses

Year to Date - ($0.4M) Unfavourable

The unfavourable variance is mainly due to unexpended community grants funds carried over from the 2022/23 financial year for the Clean up and Storm Resilience in Gippsland project $0.2M and increased Landfill levies expenditure $0.1M.

Full Year - ($1.0M) Unfavourable

The unfavourable variance is mainly due to unexpended community grants funds carried over from the 2022/23 financial year to be paid out in 2023/24 including Clean up and Storm Resilience in Gippsland $0.2M, Small Town grants $0.2M, Minor Capital Works Grants $0.2M and increased Landfill levies expenditure $0.1M.

COMPARISON TO PREVIOUS FINANCIAL YEAR
For the corresponding March quarter

	2023/24 YTD Actuals	2023/24 YTD Budgets	Variance YTD Act/Bud fav/(unfav)	2022/23 YTD Actuals	2022/23 YTD Budgets	Variance YTD Act/Bud fav/(unfav)
INCOME						
Rates and charges	93,306	93,445	(139)	89,170	88,476	695
Statutory fees and fines	2,010	2,040	(29)	1,984	1,915	69
User fees	8,375	7,639	736	8,411	7,779	632
Grants - operating	11,794	9,569	2,226	14,551	11,212	3,339
Grants - capital	23,734	7,300	16,435	11,623	4,500	7,123
Contributions - monetary	324	60	264	957	60	897
Contributions - non monetary	2,698	3,000	(303)	0	0	0
Other income	6,643	3,756	2,887	5,609	2,394	3,215
TOTAL INCOME	**148,884**	**126,808**	**22,077**	**132,306**	**116,336**	**15,970**
EXPENSES						
Employee costs	44,078	44,927	849	42,444	41,884	(560)
Materials and services	33,779	29,293	(4,485)	29,567	28,559	(1,009)
Bad and doubtful debts	0	0	0	7	0	(7)
Depreciation	25,494	25,275	(219)	22,647	23,837	1,190
Amortisation - intangible assets	709	550	(159)	0	550	550
Amortisation - right of use assets	116	136	21	35	28	(7)
Borrowing costs	277	406	129	213	317	104
Finance costs - leases	37	31	(6)	19	27	9
Net loss/ (gain) on disposal of property, infrastructure, plant and equipment	(551)	(420)	131	(51)	(266)	(215)
Other expenses	2,930	2,561	(369)	3,299	2,750	(549)
TOTAL EXPENSES	**106,869**	**102,760**	**(4,109)**	**98,180**	**97,685**	**(495)**
SURPLUS (DEFICIT) FOR THE YEAR	**42,016**	**24,048**	**17,968**	**34,125**	**18,650**	**15,475**

BALANCE SHEET

As at 31 March 2024

	Current Balance $'000s	Opening Balance 01/07/23 $'000s	Movement for Year to Date $'000s	Balance as at 31/03/23 $'000s
CURRENT ASSETS				
Cash and Cash Equivalents	10,242	24,181	(13,939)	11,925
Other Financial Assets	105,000	95,000	10,000	100,000
Other Assets	2,395	4,861	(2,466)	2,672
Trade and Other Receivables	20,786	4,613	16,173	19,890
Total Current Assets	**138,423**	**128,655**	**9,768**	**134,487**
NON CURRENT ASSETS				
Property, Infrastructure, Plant and Equipment	1,457,810	1,447,440	10,370	1,345,592
Intangible Assets	1,626	2,335	(709)	0
Right-of-use assets	1,135	1,221	(85)	711
Trade and Other Receivables	4	4	0	10
Financial Assets	2	2	0	2
Total Non-Current Assets	**1,460,578**	**1,451,003**	**9,575**	**1,346,315**
TOTAL ASSETS	**1,599,001**	**1,579,658**	**19,343**	**1,480,802**
CURRENT LIABILITIES				
Payables	2,610	14,835	(12,225)	575
Unearned income	0	10,720	(10,720)	3,233
Interest-bearing Liabilities	5,370	3,127	2,243	470
Provisions - Employee Benefits	10,624	11,518	(895)	10,096
Provisions - Landfill	3,910	4,722	(813)	3,545
Trust Funds and Deposits	5,259	5,447	(188)	5,986
Lease Liabilities	32	137	(105)	9
Total Current Liabilities	**27,805**	**50,507**	**(22,702)**	**23,914**
NON CURRENT LIABILITIES				
Interest-bearing Liabilities	12,163	12,163	0	13,645
Provisions - Employee Benefits	1,370	1,370	0	859
Provisions - Landfill	15,754	15,754	0	11,475
Lease Liabilities	1,163	1,132	30	734
Total Non-Current Liabilities	**30,449**	**30,419**	**30**	**26,712**
TOTAL LIABILITIES	**58,254**	**80,926**	**(22,672)**	**50,627**
NET ASSETS	**1,540,747**	**1,498,732**	**42,015**	**1,430,176**
EQUITY				
Current Year Surplus/(Deficit)	42,015	19,389	22,627	34,133
Accumulated Surplus	848,773	829,770	19,003	830,696
Reserves	649,959	649,573	386	565,346
TOTAL EQUITY	**1,540,747**	**1,498,732**	**42,015**	**1,430,176**

STATEMENT OF CASH FLOWS

For the Quarter ended 31 March 2024

	NOTE	YTD Cash Flow $'000s	Adopted Budget Annual Cashflow $'000s	Cash Flow 2022/23 $'000s
		Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
CASH FLOWS FROM OPERATING ACTIVITIES				
Rates and charges		77,571	93,317	90,578
Statutory fees & fines		2,000	2,800	2,743
User fees		8,462	10,548	12,918
Grants - operating		11,905	27,620	32,235
Grants - capital		13,740	10,404	13,429
Contributions - monetary		324	90	1,243
Interest received		4,360	2,600	2,909
Trust funds and deposits taken/(repaid)		(188)	98	265
Other receipts		1,660	2,192	4,169
Net GST refund/(payment)		323	3,800	4,151
Employee costs		(47,299)	(61,729)	(63,373)
Materials & services		(39,072)	(46,135)	(50,070)
Short-term, low value and variable lease payments		(57)	(144)	(152)
Other payments		(2,873)	(4,000)	(5,473)
Net cash from operating activities		**30,856**	**41,461**	**45,573**
CASH FLOWS FROM INVESTING ACTIVITIES				
Payments for property, infrastructure, plant & equipment		(37,287)	(43,757)	(34,475)
Proceeds from sale of property, plant & equipment		640	510	555
Payments for investments		(110,000)	(125,000)	(145,000)
Proceeds from sale of investments		100,000	127,000	130,000
Loans and advances made		0	0	0
Payments of loans and advances		4	0	5
Net Cash Flows used in investing activities		**(46,643)**	**(41,247)**	**(48,914)**
CASH FLOWS FROM FINANCING ACTIVITIES				
Finance costs		(253)	(540)	(281)
Proceeds from borrowings		4,500	5,000	1,635
Repayment of borrowings		(2,257)	(2,315)	(1,559)
Interest paid - lease liability		(37)	(41)	(36)
Repayment of lease liabilities		(105)	(170)	(62)
Net Cash Flows from Financing Activities		**1,849**	**1,934**	**(303)**
Net Increase/(Decrease) in cash held		**(13,939)**	**2,148**	**(3,644)**
Cash & cash equivalents at beginning of year		**24,181**	**9,880**	**27,825**
Cash & cash equivalents at end of period		**10,242**	**12,028**	**24,181**

Summary of Cash & Investments		**Current Balance**	**Current year Movement**	**Opening Balance**
Cash & Cash Equivalents		**10,242**	(13,939)	24,181
Other Financial Assets (Investments)		**105,000**	10,000	95,000
Total Cash & Investments	**1**	**115,242**	**(3,939)**	**119,181**
Budgeted Opening Balance of Cash & Investments				**79,880**
Variance in Opening Balance				**39,301**

NOTES

1. The budgeted cash & investments at the beginning of the year was $79.9 million, the actual opening balance was $119.2 million. The additional $39.3 million was largely the result of higher than anticipated surplus funds and carry forward funding for capital and operational projects and programs. This included $15.5M of Victorian Grants Commission FAGS funding that was advanced to Council in the 2022/23 financial year, this advance was not factored into the budget calculations.

STATEMENT OF CAPITAL WORKS

For The Quarter Ended 31 March 2024

	NOTE	*YTD Actuals* $'000	Full Year Forecast $'000	*Annual Budget* $'000	*Variance Annual Budget /Forecast* $'000
Property					
Land	1	0	0	0	0
Buildings	2	7,304	12,174	11,286	(888)
Heritage buildings	3	382	773	0	(773)
Total Property		**7,686**	**12,947**	**11,286**	**(1,661)**
Plant and Equipment					
Plant, machinery & equipment	4	2,422	3,857	2,095	(1,762)
Fixtures, fittings & furniture	5	48	86	50	(36)
Computers & telecommunications	6	405	742	600	(142)
Artwork collection	7	18	20	15	(5)
Total Plant and Equipment		**2,893**	**4,705**	**2,760**	**(1,945)**
Infrastructure					
Roads	8	7,944	20,658	17,855	(2,803)
Bridges & culverts	9	116	241	150	(91)
Footpaths & cycleways	10	722	1,974	1,095	(879)
Drainage	11	466	2,307	1,223	(1,084)
Waste management	12	162	1,407	500	(907)
Parks, open space and streetscapes	13	5,690	8,096	4,700	(3,396)
Recreational, leisure & community facilities	14	749	1,329	0	(1,329)
Aerodromes	15	0	0	0	0
Offstreet carparks	16	1,937	4,590	1,746	(2,844)
Other infrastructure	17	4,890	6,629	2,441	(4,188)
Total Infrastructure		**22,677**	**47,232**	**29,710**	**(17,522)**
Total Capital Works expenditure		**33,256**	**64,884**	**43,756**	**(21,128)**
REPRESENTED BY;					
New asset expenditure	18	9,716	17,978	13,044	(4,934)
Asset renewal expenditure	19	15,394	29,817	21,632	(8,185)
Asset expansion expenditure	20	49	869	0	(869)
Asset upgrade expenditure	21	8,096	16,220	9,080	(7,140)
Total Capital Works expenditure		**33,256**	**64,884**	**43,756**	**(21,128)**

NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances

1. Land **$0.0M Nil Variance**

No variance.

2. Buildings **($0.9M) Increased Expenditure**

Primarily due to expenditure that has carried over from budget allocations, cash surpluses and grant funding received in previous financial years together with unbudgeted grants announced since the budget was developed including Twin City Archery Club extension ($1.1M), Kernot Hall Refurbishment ($1.0M), Parklands Preschool refurbishment ($0.8M), Solar Power generation installations ($0.7M), Gippsland Regional Aquatics Centre ($0.1M), Latrobe Creative Precinct ($0.2M), Depot Morwell Upgrade ($0.1M), Apex Park Changing Place ($0.2M) and assorted renewal programs ($0.5M). These variances are partially offset by multi year project expenditure budgeted in 23/24 now expected to be spent in the following financial year on Flood Recovery projects; Traralgon Indoor Multi Sports Hall $2.4M and Multi Use Pavilion Traralgon Rec Res $1.5M.

3. Heritage buildings **($0.8M) Increased Expenditure**

Mainly reflects funds carried forward from 2022/23 associated with the Traralgon Courthouse upgrades.

NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances

4. Plant, machinery & equipment **($1.8M) Increased Expenditure**

Mainly due to items of fleet and large plant that were budgeted in the previous year but as a result of delays in delivery times were not able to be received until the 2023/24 financial year ($1.5M). As well as increased expenditure for the Creative Vic Industries Training Centre (Little Theatre) ($0.2M).

5. Fixtures, fittings & furniture **($0.0M) Increased Expenditure**

Minor variance.

6. Computers & telecommunications **($0.1M) Increased Expenditure**

Additional expenditure is mainly related to works funded from an unbudgeted government grant to upgrade free public WiFi services in the Latrobe Valley.

7. Artwork Collection **($0.0M) Increased Expenditure**

Minor variance.

8. Roads **($2.8M) Increased Expenditure**

Mainly relates to unbudgeted government funding and surplus funds allocated including Landslip remediation ($0.8M), National Blackspot program ($2.6M) and Road Rehabilitation Program ($2.2M). This has been partially offset by a forecasted reduction in expenditure in the current financial year for the Local Roads Reseals Program $0.3M and the Traralgon Maffra Road/Marshall's Road signalised intersection $2.4M, with some works expected to be finalised in the 24/25 financial year.

9. Bridges & culverts **($0.1M) Increased Expenditure**

Primarily due to funds carried forward from 2022/23 for bridge and major culvert works.

10. Footpaths & cycleways **($0.9M) Increased Expenditure**

Mainly due to unbudgeted government grant funding, together with other funding carried forward from the 2022/23 financial year and allocated at mid year to complete the Footpath Replacement Program ($0.4M), Footpath Missing Links Program ($0.2M) and Traralgon West Linear Paths ($0.1M) in addition to other minor works.

11. Drainage **($1.1M) Increased Expenditure**

Mainly due to unbudgeted government grant funding, together with other funding carried forward from the 2022/23 financial year to complete the rehabilitation of Traralgon Railway Reserve Large Dam ($1.1M), LRCI Roadside Drainage Improvements ($0.2M) and Minor Drainage Upgrades ($0.1M). This is offset by the Piped Systems Enhancement and Stormwater Quality Improvement $0.3M.

12. Waste management **($0.9M) Increased Expenditure**

This mainly relates to works on the new cell and Leachate Pond Construction Hyland Highway Landfill funded by 2022/23 carry forwards ($1.2M). This is offset by the Hyland Highway Landfill Cell 7 Construction $0.3M.

13 Parks, open space and streetscapes **($3.4M) Increased Expenditure**

Mainly relates to works on the Street Lighting upgrade to LED program largely funded by cash reserves and unbudgeted LRCI funding ($2.0M) together with funds carried forward from 2022/23 to complete projects including the replacement of Sports Lighting Towers ($1.0M) and retaining walls ($0.5M). This is offset by the Moe Revitalisation Project Stage 2 $0.3M.

14. Recreational, leisure & community facilities **($1.3M) Increased Expenditure**

Mainly due to unbudgeted government grant funding, together with other funding carried forward from the 2022/23 financial year to complete the Duncan Cameron Cricket Nets ($0.4M), Oval Drainage Upgrades ($0.7M) and Gaskin Park Cricket Pitch Construction ($0.1M).

15. Aerodromes **$0.0M Nil Variance**

No current year projects.

16. Offstreet carparks **($2.8M) Increased Expenditure**

Mainly related to unbudgeted government grants for the Regional Car Parks fund ($2.7M).

17. Other infrastructure **($4.2M) Increased Expenditure**

Mainly due to carried forward 2022/23 funds relating to the Gippsland Logistics Precinct and Intermodal Freight Terminal ($4.2M).

NOTES TO THE CAPITAL WORKS STATEMENT - Full Year Forecast Variances

18. New asset expenditure **($4.9M) Increased Expenditure**

Primarily due to unexpected funds carried over from 22/23 financial year and unbudgeted government grants for the Regional Car Parks Fund ($2.0M), Logistics Precinct ($4.2M), Leachate Pond Construction ($1.2M), New Energy Projects Solar ($0.7M), Latrobe Creative Precinct ($0.2M) and Free Public WiFi Services ($0.3M). This has been largely offset by Traralgon Indoor Multi Sport Hall $2.4M and the Multi Use Pavilion Traralgon Rec Reserve $1.5M.

19. Asset renewal expenditure **($8.2M) Increased Expenditure**

Primarily due to funds carried forward from the 2022/23 financial year and additional unbudgeted government grants including Road Rehabilitiation Program ($2.3M), rehabilitation of Traralgon Railway Reserve Large Dam ($1.1M), Fleet and Large Plant replacement programs ($1.4M), Sporting Light Towers replacement ($1.0M), Retaining Walls ($0.5M), Parklands Preschool Refurb ($0.8M), Footpath Replacement Program ($0.4M), Apex Park Moe Changing Place Facility ($0.2M) and Creative Industries Training Centre ($0.2M).

20. Asset expansion expenditure **($0.9M) Increased Expenditure**

Mainly due to unbudgeted grant revenue for the Regional Car Park Fund Commercial Road Morwell and Kay Street Traralgon ($0.7M) and LRCI4 Missing Link Footpath ($0.1M).

21. Asset upgrade expenditure **($7.1M) Increased Expenditure**

Mainly due to unexpended funds carried over from the 2022/23 financial year and unbudgeted government grants including National Blackspot program ($2.6M), Street Lighting LED upgrade project ($2.0M), Twin City Archery Club extensions ($1.1M), Kernot Hall Refurbishment ($1.0M), Landslip Upgrade and Betterment ($0.6M), Traralgon Court House Upgrades ($0.8M), Sporting Oval Drainage ($1.0M) and Cricket Pitch/Net Upgrades ($0.6M). This has been largely offset by a forecasted reduction in expenditure in the current financial year for the Traralgon Maffra Road/Marshall's Road signalised intersection $2.4M, now expected to be completed in 24/25 financial year.

LGPRF FINANCIAL PERFORMANCE RATIOS

As at 31 March 2024

		Year to Date Ratios				
	$'000s	**Ratio at 31/03/24**	**Ratio at 31/03/23**	**Forecast at 30/06/24**	**Budget at 30/06/24**	**Expected Range**
OPERATING POSITION						
Adjusted Underlying Result Indicator						
(Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position)						
Adjusted underlying surplus (or deficit)						
Adjusted net Surplus/(Deficit) / Adjusted underlying revenue	16,510 / 123,378	13.4%	18.6%	(9.4%)	(2.7%)	-20% - +20%
The ratio takes out the effect of once off capital grants & developer contributions.						
Note: The forecasted lower ratio of (9.4%) is mainly due to additional expenditure as a result of unspent 2022/2023 recurrent project and program expenditure which led to a greater than expected 'cash' surplus result at the end of the financial year together with government funding advanced to Council in 2022/23 that was budgeted in 2023/24.						
LIQUIDITY						
Working Capital Indicator						
(Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity)						
Current assets compared to current liabilities						
Current Assets / Current Liabilities	138,423 / 27,805	497.8%	562.4%	260.3%	225.6%	100% - 300%
Unrestricted Cash Indicator						
(Indicator that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of cash suggests an improvement in liquidity)						
Unrestricted Cash / Current Liabilities	4,983 / 27,805	17.9%	24.8%	(19.2%)	(20.5%)	0.0% - 200%
Note: Unrestricted cash does not include funds held in term deposits with a maturity term of greater than 90 days. These deposits are managed to ensure they mature in time for payment runs and are available to meet liabilities when they fall due. The forecasted negative result is due to restricted items being held in term deposit investments i.e Financial Assets rather than cash.						

	Year to Date Ratios					
	$'000s	Ratio at 31/03/24	Ratio at 31/03/23	Forecast at 30/06/24	Budget at 30/06/24	Expected Range
OBLIGATIONS						
Loans and borrowings Indicator						
(Indicator of the broad objective that the level of interest bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations)						
Loans and borrowings compared to rates						
Interest Bearing loans and borrowings / Rate Revenue	17,533 / 93,306	18.8%	15.8%	18.2%	19.3%	0% - 50%
Loans and borrowings repayments compared to rates						
Interest & principal repayments / Rate Revenue	2,534 / 93,306	2.7%	1.6%	3.4%	3.1%	0% - 10%
Indebtedness Indicator						
(Indicator of the broad objective that the level of long term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long term liabilities suggests an improvement in the capacity to meet long term obligations)						
Non-current liabilities compared to own source revenue						
(to ensure Council has the ability to pay its long term debts & provisions)						
Non Current Liabilities / Own Source Revenue	30,449 / 110,334	27.6%	25.4%	29.5%	27.5%	0% - 50%
Own Source Revenue is adjusted underlying revenue which excludes revenue which is not under the control of council (including government grants)						
Asset Renewal Indicator						
(Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations)						
Asset Renewal & Upgrade Expenditure / Depreciation	23,490 / 25,494	92.1%	73.5%	137.8%	91.1%	50%-100%
Note: The forecast increase in this ratio is a result of renewal works carried forward from the previous financial year and funded from unbudgeted government grants.						

		Year to Date Ratios				
	$'000s	**Ratio at 31/03/24**	**Ratio at 31/03/23**	**Forecast at 30/06/24**	**Budget at 30/06/24**	**Expected Range**
STABILITY						
Rates Concentration Indicator						
(Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability)						
Rates compared to adjusted underlying revenue						
Rate Revenue / Adjusted underlying revenue	93,306 / 123,378	75.6%	74.0%	63.2%	66.9%	40% - 80%
The ratio takes out the effect of once off capital grants & developer contributions.						
Rates Effort Indicator						
(Indicator of the broad objective that the rating level should be set based on the community's capacity to pay. Low or decreasing level of rates suggests an improvement in the rating burden)						
Rates compared to property values						
Rate Revenue / property values (CIV)	93,306 / 21,523,508	0.4%	0.5%	0.4%	0.4%	0.2% to 0.7%
EFFICIENCY						
Expenditure Level Indicator						
(Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of expenditure suggests an improvement in organisational efficiency)						
Expenses per property assessment						
Total expenses / Number of property assessments	106,869 / 40	$ 2,643	$ 2,459	$ 3,998	$ 3,547	$2000 - $4000
Note: The forecast increase in expenses per assessment is mainly related to employee costs and materials and services expenditure funded from additional government funding and carry forward funds.						
Revenue Level Indicator						
(Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of rates suggests an improvement in organisational efficiency)						
Average general rate & municipal charge per property assessment						
Total General Rates and Municipal Charges / Number of property assessments	67,994 / 40	$ 1,681	$ 1,613	$ 1,681	$ 1,681	$800 - $1,800

CONTRACT VARIATIONS FOR THE PERIOD 1 JANUARY 2024 - 31 MARCH 2024

PURPOSE

To provide Council with a summary of contract variations approved during the period 1 January 2024 to 31 March 2024 in accordance with the requirements of the Procurement Policy.

EXECUTIVE SUMMARY

- In accordance with Latrobe City Council's Procurement Policy 22-POL-14, Section 2.12 Contract Management, there is a requirement for contract variations to be reported to Council.
- For the period 1 January 2024 to 31 March 2024, there were 16 contract variations approved across 11 contracts.

OFFICER'S RECOMMENDATION

That Council receive and note the report on contract variations for the period 1 January 2024 to 31 March 2024.

BACKGROUND

In accordance with Latrobe City Council's Procurement Policy 22-POL-14, Section 2.12 Contract Management, there is a requirement for contract variations to be reported to Council.

ANALYSIS

During the period 1 January 2024 to 31 March 2024, 16 contract variations were processed across 11 contracts. Contract variations were submitted for the following reasons and are detailed in the attachments.

Reason for Variation	**Number of Variations**
Design Omission	3
Design Error	2
Latent Condition	4
Other	7
Total	16

The table indicates that the majority of variations did not fall into standard variation categories. The details of each of these variations have been provided in Attachment 1.

RISK ASSESSMENT

RISK	RISK RATING	TREATMENT
COMPLIANCE Failure to comply with Council's Procurement Policy	**Low** *Possible x Insignificant*	Process created and documented to ensure report is prepared and submitted to Council for noting in a timely manner.
STRATEGIC Perception that Council is not acting in a transparent manner	**Low** *Possible x Insignificant*	Present report summarising list of CEO awarded contracts on a regular basis.

CONSULTATION

Not applicable

COMMUNICATION

In accordance with *Latrobe City Council's Procurement Policy 22-POL-14* section 5.2 Communication, summary information relating to contracts awarded is published on Council's eTendering Portal.

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

Not applicable.

Cultural

Not applicable.

Health

Not applicable.

Environmental

Not applicable.

Economic

Not applicable.

Financial

Variations to contracts are funded from within the allocated project budget or where required through the reallocation of funds from other projects or additional allocation of surplus funds generated during the relevant financial year.

Variations are approved under delegation by the relevant Officer, as these variations relate to previous periods, there is no ramifications resulting from the adoption of this recommendation.

Attachments

1. Contract Variations - Details
2. Contract Variations - Summary
3. Contract Variaitons - Exceeding 25%

10.3

Contract Variations for the period 1 January 2024 - 31 March 2024

1 Contract Variations - Details..... 827
2 Contract Variations - Summary 830
3 Contract Variaitons - Exceeding 25% 831

Details of Contract Variations 01 Jan 2024 - 31 Mar 2024						
Contract Number	Contract Title	Supplier Name	Date Approved	Variation Value	Reason for Variation	Variation Detail
LCC-597	Dunbar Road Remediation Environmental Consulting Services	ADE Consulting Group (VIC) Pty Ltd	26-Mar-2024	$91,406.00	Other	Additional consulting required including site visits, testing and reporting for completion of the Environmental Audit
				$91,406.00		
LCC-732	Traralgon Multi-Level Car Park Project	Becon Constructions (Aust.) Pty Ltd	05-Feb-2024	$0.00	Other	Supply and installation of Ground Floor and Level 1 Bracing for the multi-level car park. These works were allowed for under separable portion 2 works, however have been brought forward to be completed under separable portion 1, resulting in no change to overall contract sum.
				$0.00		
LCC-752	Gippsland Logistics Precinct Stage 1A - Water supply and wastewater construction	Smolenaars Plumbing Pty Ltd	16-Jan-2024	$943,136.07	Latent Condition	Dewatering, rectify unstable ground conditions, and dayworks due to the presence of more groundwater than expected and unforeseen unstable ground conditions caused by the ongoing wet weather.
				$943,136.07		
LCC-753	Gippsland Logistics Precinct Stage 1A - Sewer pump station construction	Smolenaars Plumbing Pty Ltd	12-Jan-2024	$152,297.48	Latent Condition	Variation for dewatering, unstable ground conditions, and dayworks; excessive wet weather has led to increased de-watering and alteration to construction methodologies for the GLP Sewer Pump Station.
				$152,297.48		
LCC-784	Construction of Leachate Pond - Hyland Highway Landfill	RTL Mining and Earthworks Pty Ltd	23-Jan-2024	$46,216.31	Other	Variation in price due to delay in contract award by 6 months; this contract was awarded pending EPA approval for the leachate pond construction. The EPA approval took longer than expected due to various changes in the process. The delay in contract award resulted in an increase to the tendered price.
				$46,216.31		
LCC-794	Traralgon Courthouse - Toilet, Ramp and Heritage Works	Rebuild Gippsland Pty Ltd	11-Mar-2024	$6,624.00	Design Error	Extra Bricks. The construction drawings recommended utilising existing bricks, but there was an insufficient quantity of bricks available at the site after demolition.
LCC-794	Traralgon Courthouse - Toilet, Ramp and Heritage Works	Rebuild Gippsland Pty Ltd	11-Mar-2024	$3,640.00	Design Error	Supply and install new hot water service including safe tray with drainage to accessible toilet block. The initial design included using the existing hot water service, however the existing unit did not have sufficient capacity.
LCC-794	Traralgon Courthouse - Toilet, Ramp and Heritage Works	Rebuild Gippsland Pty Ltd	15-Mar-2024	$6,600.00	Other	Additional four weeks scaffolding hire due to miscalculation of time by painting contractor. Scaffolding was also necessary for the lighting upgrade due to the height of the ceiling.
				$16,864.00		

Details of Contract Variations 01 Jan 2024 - 31 Mar 2024						
Contract Number	Contract Title	Supplier Name	Date Approved	Variation Value	Reason for Variation	Variation Detail
LCC-798	Gippsland Logistics Precinct Industrial Estate Development	ACE Earthmoving Pty Ltd	12-Feb-2024	$245,875.00	Latent Condition	The Contract specified for the removal of 200mm of top soil across 3 ha on the Gippsland Logistics Precinct Lots 1 and 2. Upon commencing site stripping, topsoil comprising of sandy silt have been found be averaging 450mm nominal deep. This material does not compact and does not provide a suitable working platform for building up the lot levels. This variation is for the removal of 7,500m3 of unsuitable material and replacement of 7,500m3 of clay material.
				$245,875.00		
LCC-806	Lead Design Consultant - Multi-Level Car Park Development Morwell	MGS Architects Pty Ltd	25-Mar-2024	$2,000.00	Other	Ausnet Power Authority Application Fee: to investigation and design to establish power supply and provide an offer.
LCC-806	Lead Design Consultant - Multi-Level Car Park Development Morwell	MGS Architects Pty Ltd	24-Jan-2024	$5,000.00	Other	Functional Area Estimate: undertake cost plan exercise for the design of the Council chambers (previously approved variation) to understand indicative costs.
				$7,000.00		
LCC-810	Reconstruction of the Retaining Wall at Lake Narracan Reserve, Newborough	ACE Earthmoving Pty Ltd	26-Feb-2024	$12,072.50	Design Omission	Variation for asphalt reinstatement and sealing of timber fencing. Due to a design error, the finished level of the concrete ramp on the eastern side did not match in with the existing level of asphalt pavement in the car park. The approach to the ramp would need to be lowered across a 67m2 area and matched in appropriately to ensure DDA compliance and pedestrian safety. In addition, an allowance was not made for sealing the cypress timber post and rail fence.
LCC-810	Reconstruction of the Retaining Wall at Lake Narracan Reserve, Newborough	ACE Earthmoving Pty Ltd	19-Jan-2024	$12,070.00	Latent Condition	Construction of concrete edge strip and supply and install of plants. Due to the requirement for the timber fence posts to be set in footings, this restricted how close it could be constructed to the back of the retaining wall. This leaves a strip between the fence and retaining wall that cannot be grassed as it could not be maintained. This variation is to construct a concrete mowing strip under the fence to aide grass maintenance and to supply and install 80 native plants within this are including mulching.
				$24,142.50		

Details of Contract Variations 01 Jan 2024 - 31 Mar 2024						
Contract Number	Contract Title	Supplier Name	Date Approved	Variation Value	Reason for Variation	Variation Detail
LCC-814	Hyland Highway Landfill - Construction of Landfill Cap - Cells 4 and 5 (Stage 3)	Goldsmith Civil and Environmental Pty Ltd	26-Mar-2024	$4,941.63	Other	Liner damage repair on the adjacent cell. The liner on Cell 6 batter was accidentally damaged by the compactor. The lining sub-contractor working under this contract was engaged to get the liner repaired before the waste placement.
LCC-814	Hyland Highway Landfill - Construction of Landfill Cap - Cells 4 and 5 (Stage 3)	Goldsmith Civil and Environmental Pty Ltd	13-Mar-2024	$4,821.50	Design Omission	Design Model Development. The contractor had requested a electronic design model including swale drain that used in construction machinery. Such model was not available to provide and the variation price provided by the contractor is cheaper than what would be charged by a design engineer.
				$9,763.13		
LCC-816	Construction of signalised intersection at Traralgon Maffra Road and Marshalls Road, Traralgon	Fowlers Asphalting Pty Ltd	25-Feb-2024	$118,183.18	Design Omission	Variation to complete additional kerb and channel, drainage and pavement works on North side of Marshalls Road. Marshalls Road design was completed internally prior to details of land development to the north being available. Reconstruction of the north side of Marshalls was omitted from design due a possibility of these works being delivered by the land developer. This section of Marshalls Rd is now not being reconstructed as part of any subdivision works in the area and as such, must be completed by Council.
				$118,183.18		
				$1,654,883.67		

Summary of Contracts with Variations Approved between 01 Jan 2024 - 31 Mar 2024								
Contract Number	Award Date	Contract Title	Initial Contract Value	No. of Approved Variations	Total Approved Variations across contract life	Revised Contract Value	Variations as a % of Initial Contract Value	Awarded By
LCC-597	11-Dec-19	Dunbar Road Remediation Environmental Consulting Services	$ 66,776	6	$ 131,256	$ 198,032	196.56%	CEO
LCC-732	13-Apr-23	Traralgon Multi-Level Car Park Project	$ 5,024,958	1	$ -	$ 5,024,958	0.00%	CEO
LCC-752	24-Jun-23	Gippsland Logistics Precinct Stage 1A - Water supply and wastewater construction	$ 1,416,128	1	$ 943,136	$ 2,359,264	66.60%	CEO
LCC-753	24-Jun-22	Gippsland Logistics Precinct Stage 1A - Sewer pump station construction	$ 1,437,324	1	$ 152,297	$ 1,589,622	10.60%	CEO
LCC-784	1-May-23	Construction of Leachate Pond - Hyland Highway Landfill	$ 1,036,841	2	$ 71,573	$ 1,108,414	6.90%	Council
LCC-794	13-Jul-23	Traralgon Courthouse - Toilet, Ramp and Heritage Works	$ 428,034	8	$ 123,691	$ 551,725	28.90%	CEO
LCC-798	6-Dec-23	Gippsland Logistics Precinct Industrial Estate Development	$ 3,100,840	1	$ 245,875	$ 3,346,715	7.93%	Council
LCC-806	18-Oct-23	Lead Design Consultant - Multi-Level Car Park Development Morwell	$ 675,482	3	$ 20,940	$ 696,422	3.10%	CEO
LCC-810	17-Oct-23	Reconstruction of the Retaining Wall at Lake Narracan Reserve, Newborough	$ 258,177	3	$ 60,605	$ 318,781	23.47%	CEO
LCC-814	9-Feb-24	Hyland Highway Landfill - Construction of Landfill Cap - Cells 4 and 5 (Stage 3)	$ 1,633,993	2	$ 9,763	$ 1,643,756	0.60%	Council
LCC-816	20-Dec-23	Construction of signalised intersection at Traralgon Maffra Road and Marshalls Road, Traralgon	$ 6,283,818	1	$ 118,183	$ 6,402,001	1.88%	CEO

Summary of Contracts with Variations Exceeding 25 Percent of Original Contract Value									
Contract Number	Award Date	Contract Title	Initial Contract Value	No. of Approved Variations	Total Approved Variations across contract life	Revised Contract Value	Variations as a % of Initial Contract Value	Awarded By	Additional Comments
LCC-597	11-Dec-19	Dunbar Road Remediation Environmental Consulting Services	$ 66,776	6	$ 131,256	$ 198,032	196.6%	CEO	This audit is classed as a 53X Environmental Audit and is required to verify that potentially contaminated land is approved for future use. 53X Environmental Audits are often unpredictable in scale as additional auditing tasks can unfold on the basis of discovery of previously unknown contamination issues. This variation is needed for additional consultant work plans, site visits, investigations, testing, data interpretation, and reporting.
LCC-752	24-Jun-23	Gippsland Logistics Precinct Stage 1A - Water supply and wastewater construction	$1,416,128	1	$ 943,136	$ 2,359,264	66.6%	CEO	Dewatering, rectify unstable ground conditions, and dayworks due to the presence of more groundwater than expected and unforeseen unstable ground conditions caused by the ongoing wet weather, and longer works footprint of the sewer and water supply network. The presence of this ground water has required the pipes to also be geotextile wrapped, modifying the works methodology further. This variation is a latent condition, and was unavoidable.
LCC-794	13-Jul-23	Traralgon Courthouse - Toilet, Ramp and Heritage Works	$ 428,034	8	$ 123,691	$ 551,725	28.9%	CEO	Contract variations were design errors or 'other' for various component of the works. Variations included painting of the ceiling and courtroom, heating in the courtroom, track lighting and high level light bulb replacement, installation of picture rail, installation of external water tap, additional scaffolding hire, installation of new hot water service and additional bricks.

11. QUESTIONS ON NOTICE

Nil reports

NOTICES OF MOTION

12. NOTICES OF MOTION

Item Number 12.1 06 May 2024 Chief Executive Office

NOTICE OF MOTION 2024/03 - FUNDING OF AUSTRALIAN CARBON INNOVATION

I, Cr Graeme Middlemiss, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 6 May 2024:

That the Mayor, on behalf of Council, write to the Victorian State and Commonwealth Governments to advocate for funding to Australian Carbon Innovation to enable their ongoing work to explore the opportunities of low emission, high value products from Victoria's largest single natural resource - lignite.

Copies of this correspondence, with a request for support, to be forwarded to all State and Federal parliamentarians representing Gippsland based electorates and relevant Gippsland organisations active in economic development advocacy.

Signed
Cr Graeme Middlemiss
Tuesday, 23 April 2024

COUNCILLOR STATEMENT

Australian Carbon Innovation (ACI) was established in 2009 to explore opportunities to utilise the lignite resource of Gippsland and provide the basis for new industries and employment beyond burning of lignite for electricity production.
Through the contributions of academic and research institutions and industry members, ACI have identified a diverse range of uses and products for lignite that we will continue to use in a low or zero net policy setting.
Based on ACI's research, opportunities do exist for production of hydrogen, fertilizers, a range of activated carbons, carbon fibre, graphene and graphite in Victoria. Industries that rely on carbon include food, agriculture, health, electrical, renewal energy, transport (trains, trams, cars) and construction (concrete and steel).
ACI have identified that other countries, including China and the USA, are exploring these opportunities to take commercial advantage as emerging net zero economies.
Latrobe City Council and ACI acknowledge that the transition to a net zero economy is going to be challenging, both socially and economically, however for governments to abandon a key natural resource, that will undoubtedly play a major role, if not in Australia or elsewhere, is not in the best interests of Latrobe City, Victoria or Australia.

The proposed Notice of Motion requests the Victorian and Commonwealth Governments reconsider funding ACI to enable the necessary research and commercialisation of identified opportunities in support of Latrobe City's transition.

OFFICER COMMENT

22.5.1 Whether the Notice of Motion, if passed, will have budget implications and, if so, what.

There are no budget implications from this Notice of Motion.

22.5.2 Whether the Notice of Motion, if passed, will impact on internal resources and, if so, how.

There should be no internal resource implications from this Notice of Motion.

22.5.3 How the Notice of Motion relates to the Council Plan and any relevant Council policies.

This Notice of Motion supports the Smart Strategy in the Council Plan. In particular, the strategy 'Support innovative and sustainable uses of our diverse natural resources.'

In addition, the Transition Plan supports this Notice of Motion through several strategies, including:

- 'HESC – Supporting investment in new energy projects such as hydrogen.' ACI was undertaking research in a number of hydrogen related projects.
- Work closely with the University sector.' ACI was based at Federation University and utilised the academic expertise in its research projects.

22.5.4 How the Notice of Motion relates to work that has already been undertaken by Officers or Committees.

There are a number of lignite related projects, in various stages of development, in which officers are providing assistance (e.g. planning, site identification). ACI have worked with a number of these businesses, providing research and development expertise. If successful, these projects will attract investment and provide new employment.

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*.

Attachments

Nil

NOTICE OF MOTION 2024/04 - ENGINE BRAKE SIGNAGE - PRINCES HIGHWAY, TRARALGON

I, Cr Dale Harriman, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday, 6 May 2024:

That Council write to the Minister for Roads and Road Safety and elected State representatives advocating that a " No Engine Brakes " sign is installed on the corner of the Princes Highway and Lafayette Street, Traralgon, to address community concerns.

Signed
Cr Dale Harriman
Friday, 26 April 2024

COUNCILLOR STATEMENT

This Notice of Motion arises from several requests received from the community to have action taken to reduce the noise emanating from trucks passing through Traralgon along the Princes Highway. Signage at the above location is requested to remind truck drivers to avoid the use of engine brakes where possible, due to the interface of the Princes Highway with the adjacent residential area.

OFFICER COMMENT

22.5.1 Whether the Notice of Motion, if passed, will have budget implications and, if so, what.

It is considered that there are no significant financial impacts associated with this Notice of Motion should it be adopted.

22.5.2 Whether the Notice of Motion, if passed, will impact on internal resources and, if so, how.

It is considered that there are no significant resource impacts associated with this Notice of Motion should it be adopted.

22.5.3 How the Notice of Motion relates to the Council Plan and any relevant Council policies.

The Notice of Motion and the issue at hand relate to the Council Plan, particularly in relation to the *Healthy* strategic direction, as noise emanating from trucks near residential areas is considered detrimental to the amenity of those areas and can possibly affect the health of residents living nearby.

22.5.4 How the Notice of Motion relates to work that has already been undertaken by Officers or Committees.

Officers have previously requested that the Department of Transport and Planning (DTP) review the opportunity to install a sign at this location, however, DTP advised that a sign already existed near the Traralgon Golf Club. DTP was not supportive of an additional sign at this location due to the topography of this site, and because it does not align with the guidelines for the placement of such signage.

It is important to note that this type of signage is not enforceable and therefore may have little efficacy if installed.

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*.

Attachments

Nil

ITEMS FOR TABLING

13. ITEMS FOR TABLING

Nil reports

14. 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

15. 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:

15.1 Geothermal at the Gippsland Regional Aquatic Centre
This item is confidential as it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)). This ground applies because Contents of the report may be subject of a future legal process.