



# LATROBE CITY COUNCIL

## MINUTES FOR THE COUNCIL MEETING

HELD VIA AUDIO-VISUAL LINK  
AT 6PM ON  
06 SEPTEMBER 2021

CM568

**PRESENT:**

<b>Councillors:</b>	Cr Sharon Gibson, Mayor	West Ward
	Cr Darren Howe, Deputy Mayor	East Ward
	Cr Tracie Lund	Central Ward
	Cr Graeme Middlemiss	Central Ward
	Cr Dan Clancey,	East Ward
	Cr Dale Harriman	East Ward
	Cr Kellie O'Callaghan	East Ward
	Cr Melissa Ferguson	South Ward
	Cr Brad Law	West Ward
<b>Officers:</b>	Steven Piasente	Chief Executive Officer
	Kendrea Pope	A/Executive Manager Office of the CEO
	Gail Gatt	A/General Manager Community Health & Wellbeing
	Greg Drumm	General Manager Organisational Performance
	Jody Riordan	A/General Manager Assets & Presentation
	Hanna Steevens	Manager Governance
	Kieran Stewart	Governance Officer

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## **COUNCILLOR AND PUBLIC ATTENDANCE**

### **PLEASE NOTE**

The Victorian Government's *COVID-19 Omnibus (Emergency Measures) Act 2020* has introduced into the Local Government Act 2020 new mechanisms that allow for virtual Council Meetings to ensure local government decision-making can continue during the coronavirus pandemic.

Pursuant to section 394 of the *Local Government Act 2020*, a Councillor may attend this Council Meeting remotely by electronic means of communication; and

Pursuant to section 395 of the *Local Government Act 2020* this Council Meeting may be closed to the attendance by members of the public by making available access to a live stream of the Meeting on the Council's internet site.

Resolutions in this minutes document should be read in conjunction with the published agenda for the 6 September 2021 Council Meeting.

#### **1. OPENING PRAYER**

The Mayor read the opening prayer.

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

The Mayor read the acknowledgement of the traditional owners of the land.

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

There were no apologies.

#### **4. DECLARATION OF INTERESTS**

Cr Clancey declared an interest in Item 13.1 (TAFE Gippsland - Proposed Tree Removal), Item 15.1 (Tourism and Major Events Advisory Committee Recommendations August 2021) & Item 16.1 (Economic Development Sponsorship Grant application received from Latrobe City Business and Tourism Association).

Cr Bradley Law declared an interest in Item 15.1 (Tourism and Major Events Advisory Committee Recommendations August 2021).

**5. ADOPTION OF MINUTES**

**MOTION**

**Moved:** Cr O'Callaghan

**Seconded:** Cr Lund

**That Council confirm the minutes of the Council Meeting held on 2 August 2021 and Unscheduled Council Meeting held on 16 August 2021.**

**CARRIED UNANIMOUSLY**

**6. ACKNOWLEDGEMENTS**

Cr Dale Harriman recognised the ongoing achievements in basketball by Jade Melbourne and Jaz Shelley in making the Australian Opals training squad with Jaz Shelley being announced in the starting team and Jade Melbourne as an emergency.

Cr Dale Harriman recognised the work carried out by Latrobe City Councils Signs and Drainage Maintenance Team in responding after hours to recent weather events.

Cr Kellie O'Callaghan acknowledged the performance of Paralympian's Emily Beecroft, Ruby Storm and Stuart Tripp.

**7. PUBLIC PARTICIPATION TIME**

**Attend as an observer**

The Victorian Government's *COVID-19 Omnibus (Emergency Measures) Act 2020* has introduced into the *Local Government Act 2020* new mechanisms that allow for virtual Council Meetings and allow for Council Meetings to be closed to the public.

**Public Questions on Notice**

In accordance with the *Governance Rules*, members of the public were able to lodge a question on notice before 12 noon in order for the question to be answered at the meeting. There were no questions on notice.

**Public Speakers**

Members of the public who registered before 12 noon were invited to speak to an item on the agenda.

Cr Dan Clancey left the meeting, the time being 06:12 PM.

Cr Dan Clancey returned to the meeting, the time being 06:21 PM.

The following persons spoke on an item on the agenda:

Item No.	Agenda Item	Name &/or Company
13.1	TAFE Gippsland - Proposed Tree Removal	John Ellingham
14.1	Development of land with four dwellings on a lot and a four lot subdivision of land at 11 Hawker Street, Moe	Amanda Ball speaking on behalf of herself and on behalf of Amber Mckerlie, Janita Kiss and Fred Little all who have provided their written approval.
14.1	Development of land with four dwellings on a lot and a four lot subdivision of land at 11 Hawker Street, Moe	Sudhanshu Goel (Ashu), Director E2E Growth Consultants Pty Ltd

The meeting was adjourned between 6:37 PM and 6:52 PM to resolve connectivity issues.

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

The following provides a response to questions that were taken on notice at the Council Meeting on 2 August 2021.

Question
<p><i>In regard to the money given to Council almost two years ago for bushfire relief and to be utilised by the Community Recover Committee (CRC):</i></p> <ul style="list-style-type: none"> <li>• <i>Where is the money now?</i></li> <li>• <i>Who has control over the money?</i></li> <li>• <i>How much has been expended?</i></li> </ul> <p><i>If it has been expended, why was the CRC's approval or opinion not sought?</i></p>
Response
<p><i>Response provided at meeting:</i></p> <ul style="list-style-type: none"> <li>• The grant was provided to Council through the bushfire recovery process. It was to be used for staffing and recovery activities</li> <li>• The grant proposal detailed the proposed expenditure</li> <li>• The CRC assists Council to finalise details of expenditure</li> <li>• There is money outstanding from the grant. An extension has been provided until the middle of next year.</li> </ul> <p><i>Further information:</i></p> <p>The Budgerie, Jumbuk and Yinnar Community Recovery Committee (CRC) was established in mid 2019 to support the community in recovery activities after the bushfire event in 2019 affected the Budgerie, Jumbuk and Yinnar areas. The CRC membership includes community members and support agencies and is administratively supported by Latrobe City Council staff. The committee members are involved in decision making which is represented in the Minutes of each meeting.</p> <p>In December 2019, Latrobe City Council was allocated \$249,500 from the State Governments Community Relief Funding to support bushfire recovery activities in the Budgerie, Jumbuk and Yinnar South bushfire affected communities. The funding consisted of a staffing allocation of \$150,000 and \$99,500 to support community based projects through the Community Recovery Committee. The budget forecast table associated with the funding agreement is provided below.</p> <p>Due to COVID related delays, there is still \$94,982 remaining unspent and an extension has been granted. The funding spent to date has been appropriately acquitted as required by the funding agreement and evidence has been provided to support the acquittal. Council has also provided quarterly reporting to Emergency Management Victoria.</p> <p>There has also been other funding received to support activities and items requested by</p>

the CRC. These include funding from the Bendigo Bank to install a fire fighting water tank and funding through Gippsland Lifeline for a Community Arts recovery project in partnership with Baw Baw and Cardinia Shire Councils.

The Minutes of the CRC document the consultations undertaken in relation to the projects and funding allocation.

Question

How was the level of funding determined?

Where is the money?

Are there guidelines on how the money should be spent?

Who is responsible for spending the money?

How do the suggestions made by officers (eg website, guest speaker) benefit people who have experienced a bushfire? Why has the money not been expended within the South Ward after two years of receiving the funding?

Response

*Response provided at meeting:*

A briefing paper was provided to Councillors regarding the process of establishing the CRC and what expenditure has occurred.

- *How was the level of funding determined?*

At the community meeting held in May 2019 potential areas of interest to community members were collated and this information was then used in the Community Recovery Fund submission to the state government.

The principal of community based funding activity areas, that look to support short and longer community wellbeing were applied. Potential projects were developed, based on issues that arose during and after the fires (such as protecting private water supplies, personal emergency management planning), activity classes (eg Zumba, art classes) and social connection projects.

Estimated costs for such community based activities were provided to the state government noting that program areas and potential costs could be varied through submission back through Emergency Management Victoria if needed.

There have been other items identified during the course of the CRC, some of which are within the eligibility of the funding provided and others for which Council officers have sought additional funding. The table below is an extract from the Funding Agreement with the state government which identifies the budget and activity schedule.

- *Where is the money?*

Documentation regarding the funding is retained in the Latrobe City Council Finance System, and unspent funds are held in the bank to be released as required.

- *Are there guidelines on how the money should be spent?*

There are set eligibility criteria regarding the use of funds. The criteria includes: community led recovery and connections programs; community connection and network building events; preparedness and resilience; and resources and capabilities programs.



- *Who is responsible for spending the money?*

Expenditure is proposed by the CRC and accesses Council Officers to ensure any proposal aligns with the funding guidelines. Expenditure is subsequently approved by Council Officers in accordance with Council's purchasing policy and protocols.

- *How do the suggestions made by officers (eg website, guest speaker) benefit people who have experienced a bushfire? Why has the money not been expended within the South Ward after two years of receiving the funding?*

The funding is to support community recovery and resilience. There has been a consistent theme in the CRC about promoting the area for tourism and then assisting visitors to navigate the area. The review of the Yinnar & District website was considered to support this objective. The visitor economy is important to the area and supports social and economic recovery.

The funding criteria (set out above) does not include the funding of direct support services.

Applying the eligibility criteria has also meant that items identified by the CRC, such as a large water tank were unable to be funded through the Community Recovery Fund, however Council Officers have proactively and successfully sought other funding streams for the water tank.

To support the community however, Mental Health First Aid training was provided so that residents could identify individuals experiencing recovery challenges and refer to services in the area.

**BUDGET FORECAST TABLE**

Budget Forecast Table	Total	Yr 1 (2019-20)	Yr 2 (2020-21)
Activity Income - South East Victorian Fires - Recovery Support	Total \$ (excluding GST)	Total \$ (excluding GST)	Total \$ (excluding GST)
Funding from the Department	\$249,500	\$184,500	\$65,000
Activity Expenditure - South East Victorian Fires - Recovery Support	\$ (excluding GST)	\$ (excluding GST)	\$ (excluding GST)
<b>COMMUNITY LED RECOVERY AND CONNECTION PROGRAM</b>			
Communication, information and education activities to increase resilience - with local recovery initiatives in the area of: <ul style="list-style-type: none"> <li>• private water supplies; rain water treatment; first flush diversion systems</li> <li>• personal emergency management plans and community planning</li> </ul>	\$ 15,000	\$15,000	
<b>COMMUNITY CONNECTION AND NETWORK BUILDING EVENTS</b>			
Events that encourage men to access psycho-social support services including: <ul style="list-style-type: none"> <li>• the purchase of tickets for two tables at the Lairdner Park Big Men's BBQ event</li> <li>• funding for an event at the golf club to encourage men to access psycho-social support services.</li> </ul>	\$ 2,500	\$2,500	
Community connection and network building events, specifically: <ul style="list-style-type: none"> <li>• small business lunch and information session</li> <li>• lunch and speakers to talk about recovery after major events</li> <li>• social connection activities targeted at youth, mothers, children, seniors and men</li> <li>• thank you BBQ for Blazead and local residents</li> <li>• zumba and yoga sessions for women</li> </ul>	\$ 45,000	\$30,000	\$15,000
<ul style="list-style-type: none"> <li>• school holiday event pop-up park</li> </ul>			
<b>PREPAREDNESS AND RESILIENCE</b>			
<ul style="list-style-type: none"> <li>• Improvements to signage to promote local parks and tourism in the area</li> </ul>	\$ 10,000	\$10,000	
<ul style="list-style-type: none"> <li>• Consultative activities with the CRC and wider community to inform EM planning for initiatives</li> </ul>	\$ 5,000	\$5,000	
<ul style="list-style-type: none"> <li>• Hold an information / training sessions for small businesses on how they can identify persons that may require personal recovery support following a disaster (in collaboration with Windemere)</li> </ul>	\$ 2,000	\$2,000	
<ul style="list-style-type: none"> <li>• Field day aimed at disconnected communities to communicate pre-season advice to better prepare individuals and communities</li> </ul>	\$ 15,000	\$15,000	
<ul style="list-style-type: none"> <li>• Celebration event to recognise the contributions of small businesses and community groups in local recovery efforts</li> </ul>	\$ 5,000	\$5,000	
<b>RESOURCES AND CAPABILITY PROGRAM</b>			
<ul style="list-style-type: none"> <li>• 1x Community Development Officer to work with communities and support their recovery from emergencies</li> </ul>	\$150,000	\$100,000	\$50,000
<b>TOTAL</b>	<b>\$ (excluding GST)</b>	<b>\$ (excluding GST)</b>	<b>\$ (excluding GST)</b>
Total Activity Expenditure	\$249,500	\$184,500	\$65,000

# **NOTICES OF MOTION**

## **9. NOTICES OF MOTION**

### **9.1 2021/14 GIPPSLAND EMPLOYMENT SKILLS TRAINING**

**Cr Dale Harriman**

I, Cr Dale Harriman, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday 6 September 2021:

#### **MOTION**

**Moved:** Cr Harriman

**Seconded:** Cr Howe

**That Council requests a report to be provided at an upcoming council meeting on options (including financial implications and potential funding sources) to assist Gippsland Employment Skills Training with ongoing rental costs and relocation costs that have been incurred since the end the tenancy of the Former Moe service Centre and Library.**

**For** Crs Clancey, O'Callaghan, Middlemiss, Howe, Lund, Harriman, Ferguson and Gibson

**Against:** Cr Law

**CARRIED**

Signed  
Cr Dale Harriman  
30 August 2021

#### **Attachments**

Nil

**9.2 2021/15 MAV MOTION – HEALTH OUTCOMES**

**Cr Tracie Lund**

I, Cr Tracie Lund, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday 6 September 2021:

**MOTION**

**Moved:** Cr Lund

**Seconded:** Cr O'Callaghan

**That Council endorses the following motion to be tabled at the Municipal Association of Victoria (MAV) State Council meeting on Friday 12 November 2021:**

**Strengthening the Victorian Planning Provisions to ensure positive health outcomes.**

***That the MAV advocate to the Victorian Government to strengthen the Victorian Planning Provisions to include a greater focus on health outcomes in the community by:***

- i. Amending Clause 71.02 to include health and wellbeing as a consideration for integrated decision making; and***
- ii. Linking Municipal Public Health and Wellbeing Plans to Planning Schemes.***

**CARRIED UNANIMOUSLY**

Signed  
Cr Tracie Lund  
30 August 2021

**Attachments**

Nil

**9.3 2021/16 - COVID-19 TESTING SITES, LATROBE VALLEY**

**Cr Kellie O'Callaghan**

I, Cr O'Callaghan, hereby give notice of my intention to move the following motion at the Council Meeting to be held on Monday 6 September 2021:

**MOTION**

**Moved:** Cr O'Callaghan

**Seconded:** Cr Middlemiss

**That Council:**

- 1. Requests immediate direction from the Minister for Health, the Hon. Martin Foley and the Department of Families, Fairness and Housing, regarding the provision of an ongoing and accessible COVID testing site in the Moe/Newborough area; and**
- 2. Writes to the Minister for Health, the Hon. Martin Foley and Department of Families, Fairness and Housing, seeking assistance to ensure access to a Latrobe Valley COVID testing site 7 days a week.**

**CARRIED UNANIMOUSLY**

Signed  
Cr O'Callaghan  
31 August 2021

**Attachments**

Nil

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

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

**Agenda Item: 10.1**

**Agenda Item: Petition seeking green waste disposal assistance to support preparation of properties prior to bushfire season**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Improve the amenity and accessibility of Council services.**

**Status: For Decision**

**MOTION**

**Moved: Cr Ferguson**

**Seconded: Cr Howe**

**That Council:**

- 1. Refers consideration of the introduction of a 'no fee' green waste disposal period of 1 month prior to the annual fire season to 2022 – 2023 Annual Budget process; and**
- 2. Notifies the head petitioner regarding Council's response to the petition.**

**CARRIED UNANIMOUSLY**

**Attachments**

- 1. Petition to Latrobe City Council seeking green waste disposal assistance to support preparation for bushfires (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. Personal information is included within the petition.



**Agenda Item: 10.2**

**Agenda Item: Resident Only Parking Zone - Henry Street Traralgon  
Parking Issues**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe  
City.**

**Status: For Decision**

Proposed Resolution:

That Council:

1. Notes the proposed costs and impacts of a proposed resident only parking restriction along Henry Street, Traralgon; and
2. Does not implement a residential parking zone in Henry Street, Traralgon.

#### **ALTERNATE MOTION**

**Moved:** Cr Harriman

**Seconded:** Cr Howe

**That Council:**

1. **Notes the proposed costs and impacts of a proposed resident only parking restriction along Henry Street, Traralgon;**
2. **Undertakes public consultation including in the immediate area of Henry Street (east of Mabel Street and west of Breed Street) regarding the possible introduction of a resident only parking zone on Henry Street between Breed Street and Albert Street; and**
3. **On completion of public consultation provides a further report to Council on any submissions received by no later than the 6 December 2021 Council Meeting.**

**CARRIED UNANIMOUSLY**

#### **Attachments**

Nil

**Agenda Item: 10.3**

**Agenda Item: South Ward Community Disaster Recovery Committee  
Terms Of Reference**

**Sponsor: General Manager, Community Health and Wellbeing**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

**MOTION**


**Moved:** Cr Ferguson

**Seconded:** Cr Middlemiss

**That Council endorses the updated South Ward Community Disaster Recovery Committee Terms of Reference, as presented in Attachment 1 of this report.**

**CARRIED UNANIMOUSLY**

**Attachments – Refer to Council meeting agenda**

1.  South Ward Community Disaster Recovery Committee Terms of Reference September 2021

# **CORRESPONDENCE**

**11. CORRESPONDENCE**

Nil reports

# **PRESENTATION OF PETITIONS**

**12. PRESENTATION OF PETITIONS**

Nil reports

# **CHIEF EXECUTIVE OFFICE**

### **13. CHIEF EXECUTIVE OFFICE**

**Agenda Item: 13.1**

**Agenda Item: TAFE Gippsland - Proposed Tree Removal**

**Sponsor: Chief Executive Office**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

Cr Dan Clancey left the meeting, the time being 07:45 PM.

Proposed Resolution:

That Council:

1. Authorises the Chief Executive Officer to negotiate and enter into a written agreement with TAFE Gippsland to:
  - a) Remove six native trees, remove four non-native trees and decommission existing parkland infrastructure as identified in their proposal, as detailed in attachment 1, at their cost; and
  - b) Provide a financial contribution towards the construction of new community facilities including barbeque and shelter, tables and chairs; and
  - c) Consult with the Lions Club of Morwell and Rotary Club of Morwell in relation to the most appropriate location for the public facilities; and
  - d) Identify a mutually agreeable location for the new community facilities, preferably on Council owned land outside of the Flood and Land Subject to Inundation Overlays; and
  - e) Provide appropriate mature canopy tree landscaping within the vicinity of the car park at their cost.
2. Requests TAFE Gippsland present to Council a master plan for the precinct that provides details including the following:
  - a) The possible future expansion of the education facilities on the land.
  - b) The extent of proposed future car parking to meet current and future demand.
  - c) Indicative stages of development of the site.



**ALTERNATE MOTION**

**Moved:** Cr Middlemiss



**Seconded:** Cr Lund

**That Council:**

- 1. Writes to TAFE Gippsland advising that consent, as required by the section 173 agreement, is not given to remove the identified trees;**
- 2. Requests TAFE Gippsland considers an alternative car parking layout that avoids the need to:**
  - a. Remove any trees.**
  - b. Decommission existing parkland infrastructure.**
  - c. Minimises the reduction in the open space area that is utilised by the community to the west and north of the existing car park; and**
- 3. Requests TAFE Gippsland present to Council a master plan for the precinct that provides details including the following:**
  - a. The possible future expansion of the education facilities on the land.**
  - b. The extent of proposed future car parking to meet current and future demand.**
  - c. Indicative stages of development of the site.**

**CARRIED UNANIMOUSLY**

**Attachments – Refer to Council meeting agenda**

- 1.  Proposed plan showing tree removal**
- 2.  Details of existing trees**

# **ASSETS AND PRESENTATION**

## **14. ASSETS AND PRESENTATION**

**Agenda Item: 14.1**

**Agenda Item: Development of land with four dwellings on a lot and a four lot subdivision of land at 11 Hawker Street, Moe**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe City.**

**Status: For Decision**

Cr Dan Clancey returned to the meeting, the time being 07:54 PM.

### **MOTION**

**Moved: Cr Law**

**Seconded: Cr Howe**

**That Council:**

**Issues a Notice of Decision to Grant a Permit, for the Development of land with four dwellings on a lot and a four lot subdivision of land at 11 Hawker Street, Moe (L52 PS 030002), with the following conditions:**

**Amended Plans Condition:**

- 1. Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988 (whichever is earlier), amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. 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 three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:
  - a) Notation indicating that the redundant vehicle crossing will be removed and kerb, channel and nature strip areas will be reinstated to Council's satisfaction.**
  - b) The notation "communication pit" on the plans amended to state "drainage junction pit".****

**Endorsed Plans Condition:**

- 2. The layout of the subdivision and the development as shown on the**

endorsed plans must not be altered without the written consent of the Responsible Authority.

**Standard Conditions:**

- 3. Once building works have commenced they must be completed to the satisfaction of the Responsible Authority.**
- 4. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.**
- 5. Upon completion of the works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.**

**Landscaping Conditions:**

- 6. Prior to the occupancy of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.**
- 7. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.**

**Section 173 Agreement Condition:**

- 8. Prior to the issue of Statement of Compliance under the Subdivision Act 1988, either:**
  - a) Construction of the development approved under Planning Permit 2021/149 issued by Latrobe City Council must have substantially commenced; or**
  - b) 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, without the written consent of the Responsible Authority:**
    - i) Any buildings on the land must be constructed in accordance with the plans endorsed under Planning Permit 2021/149 issued by Latrobe City Council; 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.

**Construction Management Plan Condition:**

9. Prior to the commencement of works, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. All construction activities must comply with the construction management plan to the satisfaction of the Responsible Authority. The plan must include:
- a) The location and procedure for the storage of materials;
  - b) hours of construction including the number of workers expected on the land at any one time;
  - c) dust and litter management;
  - d) car parking, access and traffic management for staff and working vehicles;
  - e) measures to ensure the safe movement of vehicles and pedestrians on adjacent roads and pedestrian walkways during construction; and
  - f) provision for temporary fencing.

**Engineering Conditions:**

10. Before the commencement of any works hereby permitted or prior to the certification of the plan of subdivision under the Subdivision Act 1988 (whichever is earlier), a site drainage plan, including levels of the land and all hydraulic computations, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy in PDF format must be provided. The drainage plan must be prepared in accordance with the requirements of Latrobe City Council's design guidelines and must provide for the following:
- a) How the land including all existing and future buildings, open space and paved areas will be drained for a 20 % AEP storm event to the legal point of discharge.
  - b) An underground pipe drainage system conveying stormwater discharge to the legal point of discharge.
  - c) The provision of stormwater detention within the site and prior to the point of discharge into Latrobe City Council's drainage system. The stormwater detention system must be designed to ensure that stormwater discharges arising from the proposed development of the land are restricted to predevelopment flow rates. The rate of pre-

development stormwater discharge shall be calculated using a coefficient of run-off of 0.4.

- d) No part of any above ground stormwater detention system is to be located within an easement unless approved in writing by the relevant authority.
11. The plan of subdivision submitted for certification under the Subdivision Act 1988 must show appropriate easements set aside for drainage purposes to the satisfaction of the Responsible Authority.
12. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.
13. Before an Occupancy Permit is issued for the first completed of the new dwellings hereby permitted or prior to the issue of a Statement of Compliance for this subdivision under the Subdivision Act 1988 (whichever is earlier), the operator of this permit must complete the following works to the satisfaction of the Responsible Authority including all necessary permits being obtained and inspections undertaken:
- a) All drainage systems must be constructed in accordance with the site drainage plan approved by the Responsible Authority.
- b) Areas for vehicle access within the land must be constructed in accordance with plans endorsed by the Responsible Authority and be surfaced in accordance with the endorsed plans and drained in accordance with the approved site drainage plan.
- c) The proposed new vehicle crossing must be constructed in accordance with the endorsed plans, at right angles to the road and must comply with the vehicle crossing standards set out in Latrobe City Council's Standard Drawing LCC 307.
- d) The redundant vehicle crossing in Hawker Street must be removed and kerb and channel and grassed naturestrip reinstated.

**Public Open Space Contribution Condition:**

14. Prior to the issue of Statement of Compliance under the Subdivision Act 1988, the applicant or owner must pay to the Responsible Authority:
- a) a sum equivalent to 5 per cent of the site value of all the land in the subdivision; and
- b) any costs associated with valuation of the land including valuers fees.

**The permit holder must make a request to Council to commence the**

process involved with this condition.

**Telecommunications Condition:**

15. 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:

- a) 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
- b) 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.

**SP AusNet Conditions:**

16. Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
17. Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

**Gippsland Water Conditions:**

18. Prior to the commencement of any building works associated with the development, the owner/applicant must lodge an Application to Build Over Gippsland Waters Assets and/or Easements and have written

approval by Gippsland Water for Unit 4 water tank. Please refer to Gippsland Water Website:

<https://www.gippswater.com.au/developers/property-connections/build-overeasements>

19. No construction or filling is permitted within 1.0 metre laterally of any Gippsland Water Asset (as per Section 148 Water Act 1989) unless prior written consent has been given by Gippsland Water.
20. 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.
21. Install sewer 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.
22. Existing sewer connection point to be capped at the main by a Gippsland Water accredited pipelayer. As Constructed details and a photo showing the termination of the sewer point are required to be submitted to Gippsland Water.
23. An As Laid sanitary drainage plan showing the location of the sanitary drain(s) is required to be submitted by the plumber to CIS Services either by email to:  
  
plans@cis1.com.au or by fax (03) 9835 5515 and a copy to Gippsland Water by email to: [statplanning@gippswater.com.au](mailto:statplanning@gippswater.com.au)
24. Create Reserves and/or Easements in favour of the Central Gippsland Region Water Corporation over all existing and proposed water and sewerage works located within the subdivision. Easements are to be for Pipeline or Ancillary Purposes.
25. Any plan of subdivision of the subject land lodged for certification shall be referred to Gippsland Water under Section 8(1) of the Subdivision Act 1988.
26. A Property Services quote request form must be completed and forwarded to our Property Connections Team to arrange a quote for the provision of water and/or sewer services to the development. Please refer to our website:  
<https://www.gippswater.com.au/developers/property-connections/connections>
27. If the subdivision of the land is to be carried out prior to the occupancy of the dwellings approved under this permit, agreement for the provision of services must be made with Gippsland Water. (Agreements and or Restrictions allowing the development and subdivisions to be undertaken separately, including through the use of Section 173 Agreements and/or Notices of Restriction on the Plan of Subdivision, does not satisfy Gippsland Water servicing requirements. Provision for



servicing of the lots and/or dwellings must be arranged with Gippsland Water Statutory Planning team at [statplanning@gippwater.com.au](mailto:statplanning@gippwater.com.au)).

**Permit Expiry Condition:**

**28. This permit as it relates to development will expire if one of the following circumstances applies:**

- a) The development is not started within two (2) years of the date of this permit; or
- b) The development is not completed within four (4) years of the date of this permit.

**This permit as it relates to subdivision will expire if one of the following circumstances applies:**



- a) the plan of subdivision is not certified within two (2) years of the date of this permit; or
- b) the registration of the subdivision is not completed within five (5) years of certification.

**The Responsible Authority may extend the time if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987***



**For:** Crs Clancey, O'Callaghan, Law, Howe and Lund  
**Against:** Cr Middlemiss  
**Abstained:** Crs Harriman, Ferguson and Gibson

**CARRIED**

#### **Attachments – Refer to Council meeting agenda**

1.  Attachment 1 - Development Plans & Site Plans
2.  Attachment 2 - Site Context Plans
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. Copy of objections and personal identifying information

4.  Attachment 4 - Response to Objections
5.  Attachment 6 - Map Showing Existing Multi-unit development within the area

**Agenda Item: 14.2**

**Agenda Item: Proposed Removal of Vegetation in George Street Moe**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Improve the liveability and connectedness of Latrobe City.**

**Status: For Decision**

**MOTION**




**Moved:** Cr Law

**Seconded:** Cr Middlemiss

**That Council approves the removal of trees as identified in Attachment 3 of this report to facilitate construction of a formal car park in George Street Moe.**

**CARRIED UNANIMOUSLY**

**Attachments – Refer to Council meeting agenda**

1.  Attachment 1 - Independent Arboricultural Report
2.  Attachment 2 - Preliminary Car Park Design
3.  Attachment 3 - Trees Identified for Removal

**Agenda Item: 14.3**

**Agenda Item: Phase 3 Local Road & Community Infrastructure Program**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.**

**Status: For Decision**

**MOTION**

**Moved: Cr Howe**






**Seconded: Cr Harriman**

**That Council:**

- 1. Endorses the list of projects in Attachment 1 – List of LRCIP3 Primary Projects of this report for submission for funding to the Local Road and Community Infrastructure Program – Phase 3;**
- 2. Endorses the list of projects in Attachment 2 – List of LRCIP3 Supplementary Projects of this report as replacement or supplementary projects to the Local Road and Community Infrastructure Program – Phase 3, if a primary project in Attachment 1 cannot be delivered or if there is a surplus developed through the delivery of the program; and**
- 3. Provides delegation to the CEO, to sign off the finalised Draft LRCI Community Grant Guidelines once the LRCIP3 funding is confirmed.**

**CARRIED UNANIMOUSLY**

**Attachments – Refer to Council meeting agenda**

- 1.  List of LRCIP3 Primary Projects**
- 2.  List of LRCIP3 Supplementary Projects**
- 3.  Letter from the Federal Member for Gippsland RE LRCIP Phase 3**
- 4.  LRCI Community Grants DRAFT Guidelines**
- 5.  Stronger Communities Programme Grant Opportunity Guidelines**

**Agenda Item: 14.4**

**Agenda Item: Submission on the Regulatory Impact Statement for draft Petroleum Regulations**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Ensure Council operates openly, transparently and responsibly.**

**Status: For Decision**

**MOTION**

**Moved:** Cr Middlemiss


**Seconded:** Cr Law

**That Council:**

- 1. Endorses Latrobe City Council's submission to the Regulatory Impact Statement for draft Petroleum Regulations (Attachment 1); and**
- 2. Submits the submission to Department Jobs, Precincts and Regions for their consideration.**

**CARRIED UNANIMOUSLY**

**Attachments – Refer to Council meeting agenda**

- 1.  Latrobe City Council Submission to Petroleum Regulatory Impact Statement September 2021**

**Agenda Item: 14.5**

**Agenda Item: Options for the Financial Contribution Requirement  
for the Parking Overlay**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Ensure Council operates openly, transparently and  
responsibly.**

**Status: For Decision**

Proposed Resolution:

That Council:

1. Offers a deferral of payment of the financial contribution for waiving of car park spaces, throughout the next 12 months with the following criteria:
  - That there is a relevant planning permit in place with the condition to collect the financial contribution;
  - That a formal request be made detailing why the deferral of payment is required;
  - That this only applies to the development of an existing vacant premise where they do not benefit from a parking credit or an extension of an existing building where they do not benefit from a parking credit;
  - That the deferral of the financial contribution is for 2 years; and
  - That a Section 173 Agreement must be entered into outlining the deferral and indicating when the financial contribution will be made.
2. Requests a budget bid be made for the 22/23 financial year to undertake a Review of the Car Parking Framework Plan for Traralgon; and
3. Writes to the Traralgon Chamber of Commerce and Industry Inc advising them of Council's decision.

**ALTERNATE MOTION**

**Moved:** Cr Howe

**Seconded:** Cr Harriman

**That Council:**

- 1. Offers a waiver for the payment of the Traralgon Central Business District (CBD) Parking Overlay financial contribution to eligible small business planning permit applications for a period of 12 months which meets the following criteria:**
  - **That the planning permit application is for a small business (including not for profit):**
    - **of fewer 10 full time equivalent employees; and**
    - **has an Annual Victorian Payroll of less the \$10 million.**
  - **That is only applies to the development of an existing vacant premise where they do not benefit from a parking credit or an extension of an existing building where they do not benefit from a parking credit;**
  - **That an application is made requesting a waiver from Council and include the following:**
    - **Details of how they meet the above criteria, including:**
      - **Number of full-time equivalent employees;**
      - **Relevant planning permit application; and**
      - **Clear financial documents reporting on Annual Victorian Payroll.**
      - **A building occupancy permit (if required) for the development.**
      - **Whether the application is for a full of partial waiver of the parking overlay financial contributions and reasons why.**
- 2. Allocates funds from the Accumulated Unallocated Cash Reserve to fund the waiver to the payment of the Traralgon CBD Parking Overlay financial contribution;**
- 3. Requests a review be undertaken following the completion of the waiver program and a report be presented to Council on the outcomes of the program; and**
- 4. Writes to the Traralgon Chamber of Commerce and Industry Inc advising them of Council's decision.**

**CARRIED UNANIMOUSLY**

**Attachments – Refer to Council meeting agenda**

1.  Letter from the Traralgon Chamber and Commerce Inc

**Agenda Item: 14.6**

**Agenda Item: Policy Position on Social & Affordable Housing Applications**

**Sponsor: General Manager, Assets and Presentation**

**Council Plan Objective: Provide a connected, engaged and safe community environment, which is improving the well-being of all Latrobe City citizens.**

**Status: For Information**

**MOTION**

**Moved: Cr Middlemiss**

**Seconded: Cr Howe**

**That Council requests that an updated draft Interim Social & Affordable Housing Policy is presented to Council at the Ordinary Council Meeting on 4 October 2021.**

**CARRIED UNANIMOUSLY**

**Attachments**

Nil



# **COMMUNITY HEALTH AND WELLBEING**

**15. COMMUNITY HEALTH AND WELLBEING**

**Agenda Item: 15.1**

**Agenda Item: Tourism and Major Events Advisory Committee  
Recommendations August 2021**

**Sponsor: General Manager, Community Health and Wellbeing**

**Council Plan Objective: Support job creation and industry diversification to  
enable economic growth in Latrobe City.**

**Status: For Decision**

Cr Dan Clancey left the meeting, the time being 08:34 PM.

Cr Brad Law left the meeting, the time being 08:34 PM.

Proposed Resolution:

That Council:

Adopts the recommendations of the Tourism and Major Events Advisory Committee, that identifies the following events for funding support;

1. Victorian Veterans Golf, 15 & 16 November 2021, \$1,000
2. Moe Cup, 15 October 2021, \$7,000
3. Traralgon ProAm Golf Tournament, January 2022 & 2023, \$20,000 per annum
4. Victorian 10 Pin Bowling Championship, 12 – 20 February 2022, \$9,500
5. Fire Services Bowls Championship, 28 August – 2 September 2022, \$20,000
6. Victorian Teachers Games, September 2022 & 2023, \$25,000 per annum + up to \$25,000 VIK per annum

Funds for events scheduled in 2022-23 and 2023-24 are pending Council endorsement of the budget for those financial years.

**ALTERNATE MOTION**

**Moved:** Cr Howe

**Seconded:** Cr Harriman

**That Council:**

**Adopts the recommendations of the Tourism and Major Events Advisory Committee, that identifies the following events for funding support;**

- 1. Moe Cup, 15 October 2021, \$7,000;**
- 2. Victorian Veterans Golf, 15 & 16 November 2021, \$1,000;**
- 3. Traralgon ProAm Golf Tournament, January 2022 & 2023, \$20,000 per annum;**
- 4. Victorian 10 Pin Bowling Championship, 12 – 20 February 2022, \$9,500;**
- 5. Fire Services Bowls Championship, 28 August – 2 September 2022, \$20,000;**
- 6. Victorian Teachers Games, September 2023 & 2024, \$25,000 per annum + up to \$25,000 VIK per annum.**

**Funds for events scheduled in 2022-23, 2023-24 and 2024-25 are pending Council endorsement of the budget for those financial years.**

**CARRIED UNANIMOUSLY**

**Attachments**

1. Australian Fire Services Bowls Tournament (Published Separately)

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

2. 10 Pin Bowling Championship (Published Separately)

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

3. Traralgon Pro Am Golf (Published Separately)

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

prejudice Council is released.

4. Moe Racing Club 15 Oct 2021 (Published Separately)

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

5. Vic Veterans Teams Champs\_Yallourn GC\_15-16 Nov 2021 (Published Separately)

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

6. 2022-2023 Victorian Teachers Games (Published Separately)

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

7. Vic Teachers Games Infographic (Published Separately)

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

# **ORGANISATIONAL PERFORMANCE**

**16. ORGANISATIONAL PERFORMANCE**

**Agenda Item: 16.1**

**Agenda Item: Economic Development Sponsorship Grant application received from Latrobe City Business and Tourism Association**

**Sponsor: General Manager, Organisational Performance**

**Council Plan Objective: Support job creation and industry diversification to enable economic growth in Latrobe City.**

**Status: For Decision**

Cr Brad Law returned to the meeting, the time being 08:38 PM.

**MOTION**


**Moved: Cr Howe**

**Seconded: Cr Middlemiss**

**That Council adopts the provision of sponsorship funding of \$6,500 to the Latrobe City Business and Tourism Association. This funding is for Latrobe City Council to be the naming rights sponsor, for the 2021 People's Choice Awards.**

**CARRIED UNANIMOUSLY**

**Attachments – Refer to Council meeting agenda**

1.  LCBTA grant application

**Agenda Item: 16.2**

**Agenda Item: Authorisation of Councillors for Certification of the  
2020/21 Financial Report and Performance Statement**

**Sponsor: General Manager, Organisational Performance**

**Council Plan Objective: Ensure Council operates openly, transparently and  
responsibly.**

**Status: For Decision**

Cr Dan Clancey returned to the meeting, the time being 08:41 PM.

**MOTION**

**Moved:** Cr O'Callaghan



**Seconded:** Cr Harriman

**That Council;**

- 1. Provides “in principle” approval to the performance and financial statements for the year ended 30 June 2021 as attached to this report; and**
- 2. Authorises Audit and Risk Committee delegates Councillors Graeme Middlemiss and Melissa Ferguson to certify the performance statement and financial statements in their final form on behalf of Council for the year ended 30 June 2021.**

**CARRIED UNANIMOUSLY**

**Attachments – Refer to Council meeting agenda**

- 1.  Performance Statement 2020/21**
- 2.  Financial Statements 2020/21**

# **URGENT BUSINESS**



**17. URGENT BUSINESS**

Business may be admitted to the meeting as urgent business in accordance with rule 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.

**MEETING CLOSED TO  
THE PUBLIC TO  
CONSIDER  
CONFIDENTIAL  
INFORMATION**

**18. MEETING CLOSED TO THE PUBLIC TO CONSIDER CONFIDENTIAL INFORMATION**

Nil reports

**There being no further business the meeting was declared closed at 8:47 PM.**

**I certify that these minutes have been confirmed.**

**Mayor:** \_\_\_\_\_

**Date:** \_\_\_\_\_